

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 5, 2002
Tuesday, 9:03 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Patsy Ellis, Deputy City Clerk; present.

Pastor Graylan Hawkins-Pyles, Pastor, First Metropolitan Community Church, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The Minutes of the regular meeting of October 22, 2002, were approved 7 to 0.

OATH OF OFFICE**OATH OF OFFICE – ADMINISTRATIVE JUDGE JENNIFER JONES.**

The Oath of Office was administered to Administrative Judge Jennifer Jones by U.S. Magistrate Karen Humphreys.

AWARDS AND PRESENTATIONS

Service Citations

Distinguished Service Citations were presented to and Robert McElroy and Robert Lancaster, retiring City Employees.

RECOGNITION

Transit Services Bus and Van Roadeo Champions were recognized.

HOWLAND AWARD

The NLC Howland award was presented to The Lord's Diner.

PROCLAMATIONS

Proclamations previously approved were presented.

PUBLIC AGENDA**FRANK CHAPPEL – AVIATION MUSEUM UPDATE.**

Frank Chappel

Frank Chappel presented an update on the Aviation Museum.

KING DAVID DAVIS – “PRINCIPLES OF JUSTICE.”

King David Davis

King David Davis spoke regarding principles of justice.

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UNFINISHED BUSINESS

CONDEMNATIONS REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURE – 1527 NORTH ASH. (District I)

(Continued from September 10, 2002)

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 02-1762A

This property was before the Board of Code Standards and Appeals (BCSA) on July 1, 2002. No repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

This case was before Council on September 10, 2002. The property owner, Zenolia Ross, and Frank Ojile, attorney representing the mortgage-holder, Security Savings, attended the Council meeting. The Council voted to defer the matter for 30 days to allow the owner of the property to secure it and mow the weeds, and to take other necessary action to initiate repair or sale of the property.

On October 2, 2002 staff made an inspection of the property. No repairs had been made. The structure had been boarded (except for one window), and some premise cleanup had been done. The owner called staff to report that she would finish boarding up the structure and cleaning up the premises over the weekend of October 5. Staff made another inspection of the property on October 17, 2002. The structure is secure and the premises condition much improved. There have been no repairs made, and the property owner has not presented any further plan of action to the Office of Central Inspection.

The taxes are current. There is still a pending special assessment for weed mowing in the amount of \$117.

The owner and Mr. Ojile have been notified of the date and time of this hearing.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Brewer moved that the public hearing be closed and to proceed with the condemnation allowing 10
-- carried days to start demolition and 10 days to complete removal of the structure. Motion carried 7 to 0.

Motion -- Brewer moved that the public hearing be closed; the Resolution declaring the building as a dangerous
and unsafe structure be adopted; and the BCSA recommended action to proceed with condemnation
allowing 10 days to start demolition and 10 days to complete removal of the structures be accepted.
Any extension of time granted to repair the structure should not exceed 60 days, and should be
conditioned on the following: (1) the \$117 pending special for weed mowing shall be paid within seven
(7) days; the structure is secure as of November 5, 2002 and is kept secured during renovation; and (3)
the premise is mowed and free of debris as of November 5, 2002, and will be so maintained during
renovation. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 02-492

Resolution finding that the structure described as: Lots 117 and 119, Strong Now Ash Street, Logan Addition, to Wichita, Sedgwick County, Kansas, commonly known as 1527 North Ash, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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NEW BUSINESS

PAVING

PETITION TO PAVE 20TH STREET NORTH, HYDRAULIC TO PIATT. (District I)

Neil Cable

City Engineer Public Works reviewed the Item.

Agenda Report No.02-1954

The signatures on the Petition represent 48 of 88 (54.55%) resident owners and 51.82% of the improvement district area. District I Advisory Board held a September 16, 2002, neighborhood hearing on the project. The Board indicated support of the project.

The improvement district area is primarily residential property.

The estimated project cost is \$141,000, with the total assessed to the improvement district. The method of assessment is the square foot basis. The estimated rate of assessment to individual properties is \$00.21 per square foot. The improvement district includes City park property. The estimated assessment to City property is \$10,225. The funding source for the City share is Park Department Operating Funds.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Annie Horton

Ms. Horton spoke in favor of the project.

Hap Brewers

Mr. Brewers spoke in favor of the project.

Motion --

-- carried

Brewer moved that the Petition be approved; the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. 02-482

Resolution of findings of advisability and Resolution authorizing improving of 20th Street North from the east line of Hydraulic Avenue to the west line of Piatt Avenue, 472-83651, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PAVING

PETITION TO PAVE LAKEVIEW DRIVE, CACTUS, AND CACTUS COURT IN SPRINGDALE EAST SECOND ADDITION – SOUTH OF KELLOGG, EAST OF 143RD STREET EAST. (District II)

(This Item was pulled from the Agenda)

Motion -- carried

Knight moved that this Item be deferred to a future meeting. Motion carried 7 to 0.

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PROJECT ASSESSMENTS

(The following Item was considered earlier in the meeting; action is shown in Agenda order)

PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR FORTY-ONE (41) PAVING, TWENTY-ONE (21) WATER, TWENTY-THREE (23) SEWER AND (7) STORM SEWER PROJECTS IN BOND SALE SERIES 772, FEBRUARY 2003.

Agenda Report No. 02-1957

The City Council was notified September 10, 2002 for paving projects and September 17, 2002 for water, sewer and storm water sewer projects that the proposed assessment rolls were on file for public inspection in the Debt Management Office of the Finance Department.

Notice of hearing was published September 20, 2002 being not less than ten days prior to the date of hearing. Property owners have been notified in writing. City personnel held informal hearings September 30, 2002 for the paving projects and October 7, 2002 for water and sewer projects.

Statements of Special Assessment will be mailed to the property owners on November 8, 2002. The property owners have 30 days from the date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the February 2003 Bond Sale and put on the 2003 tax roll over a 15 year spread at the interest rate for which the bonds sell.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the following exceptions:

Water Projects:

448-89424	60.4%	Petition	Water Distribution System to serve Pine Bay Estates, Applewood Farms; L&D Taylor, etc.
448-89486	60.9%	Petition	Water Distribution System to serve Vandale, Vandale Annex, etc.
448-89543	87%	Petition	Water Distribution System to serve Southriver Addition

Sanitary Sewer Projects:

468-83149	Ordered in by City Council	Main 3, Cowskin Interceptor Sewer Part 1
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Paving Projects:

472-82572	50%	Petition	Gypsum Bike Path
472-83149	74%	Petition	26th Arkansas to Wichita
472-83151	57.8%	Petition	Fairview, 26th to 27th
472-83152	62.5%	Petition	Waco 26th to 27th
472-83160	50.3%	Petition	Jackson, 26th to 27th
472-83199	54.3%	Petition	33rd St. No. Coolidge to Porter
472-83272	74.5%	Petition	Valley Hi Road
472-83284	54.7%	Petition	Alley/Washington and Ida
472-83302	55.2%	Petition	Porter
472-89254	56%	Petition	College Hill Swimming Pool

WATER PROJECTS:

a) (470-630\734960\448-89424) – Constructing Water Distribution System No. 448-89424 to serve Pine Bay Estates, Applewood Farms; L&D Taylor, Huntington Pointe, San Pointe and Unplatted Tracts in Section 34, TWP 28S, as authorized by Resolution No. 00-135 and amending Resolution R-01-502, adopted April 4, 2000 and December 11, 2001 respectively, and published April 7, 2000 and December 15, 2001 corrected and republished August 3, 2002. Petition for this improvement was signed by owners representing 60.4% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$735,442.00 is to be apportioned 84% payable by the improvement district and 16% payable by the Water Utility Fund. The cost has been assessed on a square foot basis.

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- b) (470-692\735022\448-89472) – Constructing Water Distribution System No. 448-89472 to serve West Ridge Estates as authorized by Resolution No. 00-190, adopted May 2, 2000, and published May 5, 2000. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$91,038.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- c) (470-648\734978\448-89486) – Constructing Water Distribution System No. 448-89486 to serve Vandale, Vandale Annex, replat of lots 21-38 in Vandale Annex, Chamberlain's and Gorrell's Subdivision in Vandale, J&C and Osborn Additions as authorized by Resolution No. 00-264, adopted July 11, 2000, and published July 14, 2000 corrected and republished February 15, 2002. Petition for this improvement was signed by owners representing 60.9% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$308,313.00 is to be apportioned 89% payable by the improvement district and 11% payable by the Water Utility Fund. The cost has been assessed on a square foot basis.
- d) (470-669\734999\448-89520) – Constructing Water Distribution System No. 448-89520 to serve Angel Fire Addition as authorized by Resolution No. 00-405, adopted November 14, 2000, and published November 18, 2000. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$124,594.00 is to be apportioned 77.99% payable by the improvement district and 22.01% payable by the Water Utility Fund. The cost has been assessed on a fractional basis.
- e. (470-677\735007\448-89543) – Constructing Water Distribution System No. 448-89543 to serve Southriver Addition as authorized by Resolution No. 01-088, adopted March 6, 2001, and published March 10, 2001. Petition for this improvement was signed by owners representing 87% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$55,904.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.
- f) (470-674\735004\448-89544) – Constructing Water Distribution System No. 448-89544 to serve Fruitvale Park Addition as authorized by Resolution No. 01-071, adopted February 27, 2001, and published March 3, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$4,806.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.
- g) (470-685\735015\448-89555) – Constructing Water Distribution System No. 448-89555 to serve the Lochs at Aberdeen, Aberdeen Third Addition and Evangel Assembly of God Addition as authorized by Resolution No. 01-127, adopted March 27, 2001, and published April 2, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$97,869.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- h) (470-684\735014\448-89559) – Constructing Water Distribution System No. 448-89559 to serve Savannah Place Addition as authorized by Resolution No. 01-123, adopted March 27, 2001, and published April 2, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$22,415.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- i) (470-683\735013\448-89560) – Constructing Water Distribution System No. 448-89560 to serve Savannah Place Addition as authorized by Resolution No. 01-124, adopted March 27, 2001, and published April 2, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$22,714.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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j) (470-680\735010\448-89561) – Constructing Water Distribution System No. 448-89561 to serve Patterson Gardens Addition as authorized by Resolution No. 01-131, adopted April 3, 2001, and published April 7, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$7,169.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

k) (470-686\735016\448-89563) – Constructing Water Distribution System No. 448-89563 to serve One Kellogg Place Second Addition as authorized by Resolution No. 01-136, adopted April 3, 2001, and published April 7, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$201,131.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

l) (470-695\735025\448-89579) – Constructing Water Distribution System No. 448-89579 to serve The Courts II as authorized by Resolution No. 01-203, adopted May 15, 2001, and published May 18, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$40,922.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

m) (470-687\735017\448-89582) – Constructing Water Distribution System No. 448-89582 to serve Flat Creek Addition as authorized by Resolution No. 01-235, adopted June 5, 2001, and published June 8, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$83,631.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

n) (470-693\735023\448-89587) – Constructing Water Distribution System No. 448-89587 to serve Harrison Park Second Addition as authorized by Resolution No. 01-251, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$28,304.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

o) (470-689\735019\448-89595) – Constructing Water Distribution System No. 448-89595 to serve Smithmoor 10th Addition as authorized by Resolution No. 01-265, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$41,010.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

p) (470-691\735021\448-89600) – Constructing Water Distribution System No. 448-89600 to serve Auburn Hills 11th Addition as authorized by Resolution No. 01-304, adopted July 24, 2001, and published July 28, 2001 corrected and republished February 15, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$29,607.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

q) (470-690\735020\448-89602) – Constructing Water Distribution System No. 448-89602 to serve Westlink Christian Church Addition as authorized by Resolution No. 01-296, adopted July 24, 2001, and published July 28, 2001 corrected and republished June 10, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$36,004.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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r) (470-696\735026\448-89609) – Constructing Water Distribution System No. 448-89609 to serve Hanley Commercial Addition as authorized by Resolution No. 01-331, adopted August 14, 2001, and published August 18, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$44,921.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

s) (470-700\735030\448-89616) – Constructing Water Distribution System No. 448-89616 to serve Legacy Second Addition as authorized by Resolution No. 01-379, adopted September 11, 2001, and published September 15, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$11,214.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

t) (470-698\735028\448-89617) – Constructing Water Distribution System No. 448-89617 to serve Rocky Creek and Rocky Creek Second Additions as authorized by Resolution No. 01-392, adopted September 18, 2001, and published September 22, 2001 corrected and republished June 10, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$16,539.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

u) (470-701\735031\448-89622) – Constructing Water Distribution System No. 448-89622 to serve Mel Hambelton Addition as authorized by Resolution No. 01-432, adopted October 23, 2001, and published October 27, 2001 corrected and republished May 18, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$48,474.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

SANITARY SEWER PROJECTS:

v) (480-541\743853\468-82120) - Constructing Lateral 258, Main 5, Sanitary Sewer #22 to serve Fruitvale Park Addition as authorized by Resolution, adopted May 21, 1991, and published May 24, 1991. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$7,046.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

w) (480-507\743819\468-83048) - Constructing Lateral 138, Main 4, Sanitary Sewer #23 to serve Jones Park Addition as authorized by Resolution No. 99-449 and amending Resolution R-01-147, adopted November 16, 1999 and April 17, 2001, and published November 19, 1999 and April 20, 2001 respectively. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$21,577.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

x) (480-536\743848\468-83125) - Constructing Lateral 458, Southwest Interceptor Sewer to serve Hanhardt Addition as authorized by Resolution No. 00-271, adopted July 11, 2000, and published July 14, 2000. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$19,376.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

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y) (480-544\743856\468-83149) - Constructing Main 3, Cowskin Interceptor Sewer Part 1 to serve Mid-Continent Industrial Parks I & II, Skyway Industrial Park, Dugan Industrial Second and Third Additions and Unplatted Tracts in section 8, TWP 28S, R1W as authorized by Resolution No. 00-313 rescinded by R-02-361, adopted August 15, 2000 and August 6, 2002 respectively, and published August 19, 2000 corrected and republished February 26, 2001 and August 10, 2002. Petition for this improvement was ordered in by Council. The Statement of Cost approved July 16, 2002 in the amount of \$606,776.00 is to be apportioned 50% payable by the improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a fractional basis.

z) (480-546\743858\468-83167) - Constructing Lateral 1, Main 19, Southwest Interceptor Sewer to serve Ridge Port North Third and Fourth Additions as authorized by Resolution No. 00-380 and rescinding Resolution R-01-312, adopted October 24, 2000 and July 24, 2001 respectively, and published October 28, 2000 and July 28, 2001 corrected and republished February 15, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$282,589.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aa) (480-556\743868\468-83218) - Constructing Lateral 467, Southwest Interceptor Sewer to serve Shelly's Orchard Addition as authorized by Resolution No. 01-118 and amending Resolution R-01-226, adopted March 27, 2001 and June 5, 2001 respectively, and published March 31, 2002 and June 8, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$207,169.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bb) (480-573\743885\468-83246) - Constructing Lateral 34, Main 24, War Industries Sewer to serve Remington Place as authorized by Resolution No. 01-154, adopted April 24, 2001, and published April 28, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$229,869.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

cc) (480-571\743883\468-83257) - Constructing Lateral 72, Main 5, Sanitary Sewer #23 to serve the Courts II as authorized by Resolution No. 01-204, adopted May 15, 2001, and published May 18, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$79,815.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

dd) (480-560\743872\468-83260) - Constructing Lateral 468, Southwest Interceptor Sewer to serve Flat Creek Addition as authorized by Resolution No. 01-238, adopted June 5, 2001, and published June 8, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$449,080.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ee) (480-563\743875\468-83266) - Constructing Lateral 49, Main 2, Sanitary Sewer #22 to serve W.H.H. Addition as authorized by Resolution No. 01-255, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$25,363.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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ff) (480-562\743874\468-83267) - Constructing Lateral 140, Main 4, Sanitary Sewer #23 to serve Timmermeyer Gardens Addition as authorized by Resolution No. 01-228, adopted June 5, 2001, and published June 8, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$20,646.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

gg) (480-581\743893\468-83268) - Constructing Lateral 34, Main 1, Cowskin Interceptor Sewer to serve Mel Hambelton Addition as authorized by Resolution No. 01-260, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$46,117.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

hh) (480-561\743873\468-83272) - Constructing Lateral 10, Main 16, Sanitary Sewer #22 to serve Southwest Industrial Addition as authorized by Resolution No. 01-247, adopted June 12, 2001, and published June 16, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$61,952.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ii) (480-569\743881\468-83275) - Constructing Lateral 307, Four Mile Creek Sewer to serve Harrison Park Second Addition as authorized by Resolution No. 01-252, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$48,509.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

jj) (480-565\743877\468-83281) - Constructing Lateral 309, Four Mile Creek Sewer to serve Smithmoor 10th Addition as authorized by Resolution No. 01-266, adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$124,512.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

kk) (480-566\743878\468-83302) - Constructing Lateral 473, Southwest Interceptor Sewer Part 3 to serve Westlink Christian Church Addition as authorized by Resolution No. 01-297, adopted July 24, 2001, and published July 28, 2001 corrected and republished June 10, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$25,919.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ll) (480-570\743882\468-83312) - Constructing Lateral 8, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 13th Addition as authorized by Resolution No. 01-334, adopted August 14, 2001, and published August 18, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$223,023.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

mm) (480-576\743888\468-83321) - Constructing Lateral 474, Southwest Interceptor Sewer to serve Legacy Second Addition as authorized by Resolution No. 01-380, adopted September 11, 2001, and published September 15, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$53,113.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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nn) (480-575\743887\468-83326) - Constructing Lateral 468, Southwest Interceptor Sewer to serve the N 236' of a tract beginning 615' S of the NW corner of the SW 1/4; thence E 335'; S 355'; W 335'; and N to the point of beginning in Section 31, Township 27S, R1W as authorized by Resolution No. 01-389, adopted September 18, 2001, and published September 22, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$3,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

oo) (480-577\743889\468-83328) - Constructing Lateral 27, Cowskin Interceptor Sewer to serve an Unplatted Tract in Section 26, TWP 27S, R2W as authorized by Resolution No. 01-415, adopted September 25, 2001, and published September 29, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$7,098.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

pp) (480-582\743894\468-83330) - Constructing Main 3, Cowskin Interceptor Sewer Part II to serve Dugan Industrial Third Addition and Unplatted Tracts in Section 7, TWP 28S R1W as authorized by Resolution No. 01-425, adopted October 16, 2001, and published October 20, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$113,757.00 is to be apportioned 50% payable by the improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a square foot basis.

qq) (480-583\743895\468-83344) - Constructing Lateral 57, Main 3, Southwest Interceptor Sewer to serve Vilm Gardens Second Addition as authorized by Resolution No. 01-448, adopted November 6, 2001, and published November 10, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$2,830.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

rr) (480-585\743897\468-83352) - Constructing Lateral 479, Southwest Interceptor Sewer to serve Collins First Addition as authorized by Resolution No. 01-462, adopted November 6, 2001, and published November 10, 2001 corrected and republished July 30, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$14,297.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

STORM WATER SEWERS:

ss) (485-186/751295/468-82975) – Construction of Storm Water Drain No. 142 to serve The Gateway Center Addition (south of 13th, east of Greenwich) as authorized by Resolution No. R-99-114, adopted March 23, 1999, and published March 26, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$249,380.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

tt) (485-183/751292/468-83184) – Construction of Storm Water Drain No.161 to serve Angel Fire Addition (north of 47th Street South, east of West Street) as authorized by Resolution No. R-00-408, adopted November 14, 2000, published November 18, 2000, and Rescinding Resolution No. R-01-091, adopted March 6, 2001 and published March 10, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$539,662.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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uu) (485-184/751293/468-83187) – Construction of Storm Water Drain No. 157 to serve Shoal Creek Addition (west of 143rd Street East, south of Central) as authorized by Resolution No. R-01-013, adopted January 9, 2001, and published January 13, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$412,491.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

vv) (485-185/751294/468-83208) – Construction of Storm Water Drain No. 159 to serve The Gateway Center Addition (south of 13th, east of Greenwich) as authorized by Resolution No. R-01-117, adopted March 27, 2001, published March 31, 2001, and Amending Resolution No. R-02-121, adopted March 5, 2002, and published March 9, 2002. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$87,580.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ww) (485-188/751297/468-83237) – Construction of Storm Water Sewer No. 550 to serve One Kellogg Place Second Addition (south of Kellogg, east of Greenwich) as authorized by Resolution No. R-01-139, adopted April 3, 2001, and published April 7, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$518,764.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

xx) (485-190/751299/468-83261) – Construction of Storm Water Drain No. 168 to serve Flat Creek Addition (east of 119th Street West, north of Pawnee) as authorized by Resolution No. R-01-239, adopted June 5, 2001, and published June 8, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$396,887.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

yy) (485-191/751300/468-83294) – Construction of Storm Water Drain No. 174 to serve YMCA South Addition (west of Meridian, north of MacArthur) as authorized by Resolution No. R-01-277, adopted July 10, 2001, published July 13, 2001 and Amended Resolution No. R-01-363, adopted September 11, 2001 and published September 15, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$106,966.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

PAVING PROJECTS:

zz) (405-166/706127/472-82572) - Improving of the Landscaping, Beautification, Bike Path construction and Channell improvements in and adjacent to Armour Drive, Whittier and Willowbrook, and the Armour Drive, Whittier and Willowbrook, and the Armour drainage ditch in the area between Kellogg and Douglas, as authorized by Resolution No. R-95-109, adopted March 14, 1995, and published March 17, 1995. Petition for this improvement was signed by owners representing 56% of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$179,982.00 is to be apportioned 50 percent payable by the improvement district, and 50 percent payable by the City-at-Large. The cost has been assessed on a square basis.

aaa) (490-721/765610/472-82757) - Improving of Taft Avenue from the east line of Julia to the west line of Hoover Street; Hoover Street from the north line of Taft Avenue, and sidewalk along one side of Taft Avenue and one side of Hoover Street (north of Kellogg, west of Hoover), as authorized by Resolution No. R-96-369, adopted September 24, 1996, and published September 27, 1996. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$398,600.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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bbb) (490-756/765645/472-82889) - Improving of Cypress/38th Street North from the north line of 37th Street North to the west line of Webb Road (north of 37th Street North, west of Webb), as authorized by Resolution No.R-97-415, adopted November 25, 1997, and published November 28, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$394,860.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ccc) (490-616/765149/472-82988) – Construction of a Golf Course Clubhouse (south of Maple, west of 135th), as authorized by Resolution No. R-98-332, adopted August 4, 1998, and published August 7, 1998. Amended Resolution No 02-310 adopted July 2, 2002, published July 2, 2002. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 6, 2002 in the amount of \$24,356.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ddd) (490-617/765156/472-82989) – Construction of a golf court clubhouse (south of Maple, west of 135th Street West), as authorized by Resolution No. R-98-333, adopted August 4, 1998, and published August 7, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 6, 2002 in the amount of \$18,651.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

eee) (490-618/765164/472-82990) - Construction of a golf course clubhouse (south of Maple, west of 135th Street West), as authorized by Resolution No. R98-334, adopted August 4, 1998, and published August 7, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 6, 2002 in the amount of \$558.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

fff) (490-619/765172/472-82991) – Construction of a golf course clubhouse, (south of Maple, west of 135th Street West), as authorized by Resolution No. R-98-335, adopted August 4, 1998, published August 7, 1998; and republished October 21, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 6, 2002 in the amount of \$127,453.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ggg) (490-620/765180/472-82992) – Construction of a golf course clubhouse, (south of Maple, west of 135th Street West, as authorized by Resolution No. R-98-336, adopted August 4, 1998, published August 7, 1998; and republished September 3, 1999. Amended Resolution No 02-311 adopted July 2, 2002 published July 8, 2002. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 6, 2002 in the amount of \$381,458.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

hhh) (490-791/765680/472-83035) - Improving of Cypress/38th street North from the north line of 37th Street North to the west line of Webb Road.(north of 37th Street North, west of Webb), as authorized by Resolution No R-97-415, adopted November 25, 1997, published November 28,1997. Petition for this improvement was signed by owners representing 50 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$307,153.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

iii) (490-774/765663/472-83131) – Authorizing construction of a left turn lane and acceleration/deceleration lane to serve Lots 1 through 8, Brush Creek Third Addition adopted August 17, 1999, published August 20,1999. Petition for this improvement was signed by 100% owners of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$428,936. is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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jjj) (490-717/765606/472-83149) - Improving of 26th Street North, from the east line of Arkansas to the east line of Wichita Street, as authorized by Resolution No. R-99-434, adopted November 9, 1999, and published November 12, 1999. Petition for this improvement was signed by owners representing 52.17 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$201,077.00 is to be apportioned 74 percent payable by the improvement district and 26 percent payable by the City-at-Large. The cost has been assessed on a square foot basis.

kkk) (490-733/765622/472-83151) - Improving of Fairview, from the north line of 26th Street North to the south line of 27th Street North, as authorized by Resolution No. R-00-067, adopted February 15, 2000, and published February 18, 2000. Petition for this improvement was signed by owners representing 57.8 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$ 77, 196.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

lll) (490-720/765609/472-83152) - Improving of Waco from the north line of 26th Street North to the south line of 27th Street North, as authorized by Resolution No. R-99-431, adopted November 9, 1999, and published November 12, 1999. Petition for this improvement was signed by owners representing 62.5 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$88,005.00 is to be apportioned 100 percent payable by the improvement district 62.5% Petition. The cost has been assessed on a square foot basis.

mmm) (490-718/765607/472-83160) - Improving of Jackson, from the north line of 26th Street North to the south line of 27th Street North, as authorized by Resolution No. R-99-433, adopted November 9, 1999, and published November 12, 1999. Petition for this improvement was signed by owners representing 50.003 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of 83,345.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis. 53.003% Petition Square foot as set forth in the authorizing resolution.

nnn) (490-745/765634/472-83175) - Improving of Wilson Estates Parkway from the east line of Reserves "S" and "V" of Wilson Farms Addition over to Webb Road, and; sidewalk along Wilson Estates Parkway from the east line of Reserve "S" to the west line of Webb Road (south of 21st, west of Webb), as authorized by Resolution No. R-00-223, adopted May 16, 2000, and published May 19, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of 246,479.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ooo) (490-808/765697/472-83194) - Improving of Garnett from the south line of Central Avenue, south to a point 350 feet south of the south line of Central Avenue, (south of Central, west of 127th Street East), as authorized by Resolution No. R-00-053, adopted February 8, 2000, published February 11, 2000. Amended Resolution No R-01-390, adopted September 18, 2001, published September 22, 200. Petition for this improvement was signed by owners representing 100 % of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$88,014.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ppp) (490-736/765625/472-83199) - Improving of 33rd street north, (from the east line of Coolidge South to the east line of Porter North), authorized by Resolution No. R-00-086, adopted March 7, 2000, and published February 10, 2000. Petition for this improvement was signed by owners representing 54.3 % of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$143,318.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square basis.

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qqq) (490-747/765636/472-83222) - Improving of Rock Road from approximately 500 feet south of Douglas Avenue to a point approximately 1600 Feet south of Douglas Avenue (between Kellogg and Douglas), as authorized by Resolution No. R-00-171, adopted April 18, 2000, and published April 21, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$611,542.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

rrr) (490-744/765633/472-83232) - Improving of accel/decel lane and a left turn lane in Webb Road from a point 80' North of the south lot line of Lot 3, Block 1 to a point 300' South of Wilson Estates Parkway, (south of 21st Street, west of Webb), as authorized by Resolution No. R-00-225, adopted May 16, 2000, and published May 19, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$ 370,941.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

sss) (490-748/765637/472-83238) - Improving of Sheridan from the north line of Douglas to the south line of Second Street; Mt Carmel from the east line of Sheridan to the south line of First Street; First Street from the east line of Sheridan to the west line of St. Paul Avenue, and; sidewalks on one side of each street, (north of Douglas, east of Sheridan), as authorized by Resolution No. R-00-209, adopted May 9, 2000, and published May 12, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$361,267.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ttt) (490-766/765655/472-83267) - Improving of Spyglass from the south line of 45th street North, south to the north line of 44th Street North; 44th Street North from the West line of Ironwood; 44th Street North Ct. From the West line of Spyglass, West to and including the cul-de-sac; Ironwood from the South line of 45th Street North, south to the south line of 44th Street North, and; Ironwood Circle from the south line of 44th Street North, south to and including the cul-de-sac.(south of 45th Street North, west of Webb) as authorized by Resolution No R-00-324, adopted August 22, 2002, published August 25, 2000. Petition for this improvement was signed by owners representing 100 of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$207,501.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

uuu) (490-782/765671/472-83272) - Improving of Valley Hi Road, from the west line of Decker Drive, west to the west line of the Plat of Auburn Hills 12th Addition, (south of Maple, west of 135th Street West), as authorized by Resolution No. R-00-327, adopted September 12, 200, and published February 20,2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$131,285.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

vvv) (490-771/765660/472-83281) - Improving of Sawdust, from the east line of Rock Road to the west line of Spyglass; Sawdust Ct., from the north line of Sawdust to and including cul-de-sac (lots 71-77, Block 7); Sawdust Ct., from the north line of Sawdust to and including cul-de-sac (Lots 54-66, Block 7); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 20-33, Block 6); Sawdust Ct., from the west line of Sawdust Court to and including cul-de-sac (Lots 6-19, Block 6); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 34-39, Block 6); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 43-51, Block 6); and Spyglass, from the north line of 45th Street North to the north line of Sawdust, (east of Rock, north of 45th Street North), as authorized by Resolution No. R-0-439, adopted December 19, 2000, published December 23, 2000 and Rescinding Resolution No. R-01-286, adopted July 17, 2001, and published July 21, 2001. Petition for this improvement was signed by owners representing 100 % property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$564,504.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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www) (490-765/765654/472-83284) - Improving of the north-south alley between Washington and Ida, from Morris to Gilbert as authorized by Resolution No. R-00-351, adopted October 3, 2000, and published October 7, 2000. Petition for this improvement was signed by owners representing 18.2 % of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$52,974.00 is to be apportioned 54.7 percent payable by the improvement district. The cost has been assessed on a square basis.

xxx) (490-770/765659/472-83290) – Improving of Nineiron, from the south line of Maple, south to the north line of Taft St., on Taft St. from the south line of Nineiron, west to the east line of Decker Street, and on Decker Street from the north line of Valley Hi Road, north to the north line of Taft St., Nineiron Court (Lots 1 through 9, Block A) from the east line of Nineiron, east to and including the "T" intersection, on Nineiron Court. (Lots 12 through 21, Block A) from the east line of Nineiron, east to and including the "T" intersection, and on Nineiron from the east line of Taft St., east, south and west to the east line of Decker Street, (west of 135th Street West, south of Maple), as authorized by Resolution No R-00-400 adopted November 14, 2000, published November 18, 2000 and corrected and republished December 11, 2000, by owners representing 100 of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$337,554.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

yyy) (490-775/765664/472-83292) - Improving of Leonine from the south line of the plat, north to the north line of Lot 18, Block C, and on Angel from the east line of Leonine, east to the east line of the plat. on Leonine Court (Lots 1-5, block C) from the west line of Leonine, west to and including the cul-de-sac; on Leonine Court (Lots 4-10, Block A) from the south line of Leonine, south to and including the cul-de-sac; and on Leonine Court (Lots 11-20, Block A) from the south line of Leonine, south to and including the cul-de-sac. Sidewalk along the west side of Leonine from the south line of the plat north and east to the north line of lot 18, Block C, and on Angel from the east line of Leonine, east to the east line of the plat, (north of 47th Street South, east of West Street), as authorized by Resolution No R-00-410 adopted November 14, 2000, published November 18, 2000, and corrected and republished Dec. 11, 2000 Rescinded Resolution No. R-01-225 Adopted June 5, 2001 and published June 8, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$305,882.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

zzz) (490-777/765666/472-83296) - Improving of Siefkes from the east line of the Plat, west to the north line of Spring Hollow, and on Spring Hollow from the west line of Siefkes, south to the south line of the Plat. Castle Rock from the south line of Siefkes, south to the south line of lot 39, Block A, on Whitewood St. from the east line of Spring Hollow, east to the west line of Castle Rock, on Whitewood St. from the west line of Spring Hollow, west to the west line of Hawthorne St., on Whitewood Cir. from the west line of Hawthorne St., west to and including the cul-de sac, on Hawthorne St., from the north line of Whitewood St., north to the north line of lot 17, Block D, and on Whitewood Court, from the north line of Whitewood St., north to and including the cul-de-sac. That sidewalk be constructed along one side Siefkes and Spring Hollow. That there be constructed a decel lane along 143rd street east from the north line of the Plat, south to the north line of Siefkes (west of 143rd Street, east, south of Central) as authorized by Resolution No. R-01-014, adopted January 9, 2001, published January 13, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$377,422.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

aaaa) (490-776/765665/472-83300) - Improving of Bedford and Bedford Courts in Cedar view Second addition (north of Lincoln, east of Greenwich) as authorized by Resolution NoR-01-034, adopted January 23, 2001, and published January 27, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$230,035.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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bbbb) (490-772/765661/472-83302) – Improving of Porter, from the north line of 33rd Street North to the south line of 34th Street North, as authorized by Resolution R-00-443 adopted December 19, 2000, published December 23, 2000. Petition for this improvement was signed by owners representing 55.2 of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$48,759.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

cccc) (490-786/765675/472-83331) - Improving of 24th Street North from the east line of Hood to the west line of Payne. as authorized by Resolution No. R-01-043 adopted February 6, 2001, and published February 10, 2001 and February 17, 2001, corrected and republished February 26, 2001, Resolution No R-01-104, adopted March 20, 2001, published March 24, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$31,240.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square basis.

dddd) (490-787/765676/472-83332) - Improving of 24th Street North from the east line of Payne to the west line of Salina, as authorized by ordering in Resolution No. R-01-042 adopted February 6, 2001, published February 10, 2001, Resolution No R-01-105 adopted March 20, 2001, published March 24, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$29,180.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square basis.

eeee) (490-793/765682/472-83370) - Improving of Greenwich Road from the South one of the Plat to Kellogg including a traffic signalization system at the major entrance to one Kellogg Place Second Addition at Greenwich Road, five lane pavement improvements including continuous left turn lane to serve Northbound traffic at Kellogg Place Second addition, Medial removal, and Channelization as necessary to accommodate the traffic signal. (south of Kellogg, east of Greenwich) as authorized by Resolution No. R-01-141, adopted April 3, 2001, and published April 7, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of 648,933.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

ffff) (490-794/765683/472-83372) - A traffic signalization system at Zelta and Kellogg, a continuous accel/decel Lane from a point approximately 600 feet west of Ellson to the east line of Zelta, a major intersection at Ellson and Zelta, Median improvements on Kellogg at Ellson to accommodate eastbound left turn lanes and eliminate westbound turn lanes, and channelization improvements as necessary to accommodate the traffic signal (south of Kellogg, east of Greenwich) authorized by Resolution No. R-01-143, adopted April 3, 2001 and published April 7, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$546,846.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

gggg) (490-790/765679/472-83374) - Improving of Tara Falls, from the south line of Michelle to the south line of lot 42, Block A, Tara Falls Addition; Tara Falls Court: from the south line of Tara Falls to and including cul-de-sac (Lots 31-41, Block A); and Tara Falls Court: from the north line of Tara Falls to and including cul-de-sac (Lots 19-32, Block C), (south of Harry, east of Greenwich), as authorized by Resolution No. R-01-194, adopted May 1, 2001, published May 5, 2001 and Amending Resolution No. R-01-285, adopted July 7, 2001, and published July 21, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$299,701.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

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hhhh) (490-806/765695/472-83382) – Improving Edgemoor Drive from the south line of Lot 97, Block 2 to the southeast line of Lot 84, Block 2; and Pembroke Circle, from the East line of Edgemoor Drive, to the northwest line of Lot 85, Block 2, including the turn-around, (east of Oliver, south of 29th Street North) as authorized by Resolution No. R-01-205, adopted May 15, 2001 and published May 18, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$199,052.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

iiii) (490-795/765684/472-83383) - Improving of Jewell from the west line of the Plat, east to the east line of the Plat, on Milstead from the south line of Jewell, south to the east line of Lot 24, Block B and on Golden Hills from the South line of Jewell, south to the south line of Lot 2, Block F, Jewell Ct. from the north line of Jewell, North to and including the cul-de-sac. Sidewalk along one side of Jewell from the west line of the Plat to the east line of the Plat, along one side of Milstead from the south line of Jewell, south to the east line of Lot 24, Block B, and on Golden Hills from the south line of Jewell, South to the South line of Lot 2, Block F (east of 119th Street West, north of Pawnee as authorized by Resolution No. R-01-240, adopted June 5, 2001 and published June 8, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$436,100.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

jjjj) (490-799/765688/472-83396) - Improving of Funston, from the west line of Lot 37, Block 2 to Greenwich Road; Derrick Circle, north of Funston including the cul-de-sac; Justin Circle, North of Funston including the cul-de-sac (south of Harry, west of Greenwich) as authorized by Resolution No. 01-269 adopted June 19, 2001, and published June 23, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$241,325.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

kkkk) (490-803/765692/472-83403) - Improving of Sandwedge Circle from the Westerly line of Lot 4, Block B, east to and including the cul-de-sac (east of 151st street West, north of Kellogg), as authorized by Resolution No. R-01-307, adopted July 24, 2001, published July 28, 2001 corrected and republished and Amending Resolution No R-01-470, adopted November 20, 2001, published November 24, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$108,186.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

llll) (490-812/765701/472-83431) - Improving of the Rocky Glen from the south line of Lot 49, Block 6 Rocky Creek Addition to the south line of Tallowood. A sidewalk shall be constructed on the west side of Rocky Glen from the south line of Lot 49, Block 6 Rocky Creek Addition to the south line of Tallowood, north of 13th, east of 127th Street East as authorized by Resolution No. 01-395 adopted September 18, 2001, and published September 22, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$97,264.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

mmmm) 490-783/765672/472-89247) - Improving of Shadow Lakes, from the east line of Lot 30, Block 6, east to the south line of Northshore Boulevard; and on Northshore Boulevard from the east line of Shadow Lakes, north to the north line of lot 55, Block 4. Shadow Lakes Ct. Lots 31-34, Block 6, from the south line of Shadow Lakes south to and including the cul-de-sac; Shadow Lakes Ct. Lots 37-41, Block 6 from the south line of Shadow Lakes, south to and including the cul-de-sac; Northshore Ct., Lots 42-47, Block 4 from the west line of Northshore Boulevard, west to and including the cul-de-sac; and on Northshore Ct. Lots 50-54, Block 4 from the west line of Northshore Boulevard, south and west to and including the cul-de-sac; sidewalk constructed on both sides of Shadow Lakes from the east line of Lot 30, Block 6 to the south line of Northshore Boulevard; on both sides of Northshore Boulevard from the east line of Shadow Lakes, North to the north line of Lot 55, Block 4, North of 29th, east of Ridge, as authorized by Resolution No. R-98-209, adopted May 19, 1998, published May 22, 1998,

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Rescinded Resolution No R-01-196 adopted May 1, 2001 published May 5, 2001. Petition for this improvement was signed by owners representing 100 of the property ownership. The Statement of Cost approved July 9, 2002 in the amount of \$391,818.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

nnnn) (440-103/785717/472-89254) - Construction of the College Hill Swimming Pool (east of Hillside, south of Douglas), as authorized by Resolution No. R-98-221, adopted June 2, 1998, published June 10, 1998, and Rescinding Resolution No. R-99-369, adopted September 28, 1999, published October 1, 1999. Petition for this improvement was signed by owners representing 56 percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$811,237.00 is to be apportioned \$500,000.00 payable by the improvement district, and \$269,000.00 payable by the City-at-Large. The cost has been assessed on an equal share. 56% Petition College Hill Swimming Pool an equal share as set forth in the authorizing resolution.

Steve Lackey Public Works Director stated all could be approved with exception of A, CCC, DDD, EEE, FFF, GGG, AAA, HHH, UUU, CCCC, and NNNN; and that Item WWW would be deferred to the next Bond Sale.

Mayor Knight Mayor Knight inquired if anyone wished to be heard on any of the assessments with the exceptions of A, CCC, DDD, EEE, FFF, GGG, AAA, HHH, UUU, CCCC, NNNN and WWW; and no one appeared.

Motion -- Knight moved that the declaration of emergency be approved with the Ordinances, (except A, CCC, DDD, EEE, FFF, GGG, AAA, HHH, UUU, CCCC, and NNNN) adopted on first reading; the necessary signatures authorized; and that "WWW" be deferred until the next Bond Sale. Motion carried 7 to 0.

-- carried

WATER PROJECTS:

(Agenda Item 7a) a) (470-630\734960\448-89424)

Steve Lackey Public Works Director reviewed the Item.

Mayor Knight Mayor Knight inquired if anyone wished to be heard.

Name not given This person was not in favor of the assessments.

Joe Smalley Mr. Smalley was not in favor of the assessments.

Daniel (INAUDABLE) This gentleman was not in favor of the assessments.

Council Member Lambke Council Member Lambke stated he had not heard from any of these individuals at the time the meetings were held, but does sympathize with the cases.

Motion -- Lambke moved that the Declaration of Emergency be approved and the necessary signatures be authorized; the Ordinance be placed on its passages and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

-- carried

ORDINANCE NO. 45-401

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89424 to serve Pine Bay Estates, Applewood Farms; L&D Taylor, Huntington Pointe, San Pointe and Unplatted Tracts in Section 34, TWP 28S. Lambke moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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b) (470-692\735022\448-89472)

ORDINANCE NO. 45-402

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89472 to serve West Ridge Estates. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

c) (470-648\734978\448-89486)

ORDINANCE NO. 45-403

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89486 to serve Vandale, Vandale Annex, replat of lots 21-38 in Vandale Annex, Chamberlain's and Gorrell's Subdivision in Vandale, J&C and Osborn Additions. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

d) (470-669\734999\448-89520)

ORDINANCE NO. 45-404

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89520 to serve Angel Fire Addition.

e) (470-677\735007\448-89543)

ORDINANCE NO. 45-405

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89543 to serve Southriver Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

f) (470-674\735004\448-89544)

ORDINANCE NO. 45-406

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89544 to serve Fruitvale Park Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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g) (470-685\735015\448-89555)

ORDINANCE NO. 45-407

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89555 to serve the Lochs at Aberdeen, Aberdeen Third Addition and Evangel Assembly of God Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

h) (470-684\735014\448-89559)

ORDINANCE NO. 45-408

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89559 to serve Savannah Place Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

i) (470-683\735013\448-89560)

ORDINANCE NO. 45-409

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89560 to serve Savannah Place Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

j) (470-680\735010\448-89561)

ORDINANCE NO. 45-410

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89561 to serve Patterson Gardens Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

k) (470-686\735016\448-89563)

ORDINANCE NO. 45-411

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89563 to serve One Kellogg Place Second Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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l) (470-695\735025\448-89579)

ORDINANCE NO. 45-412

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89579 to serve The Courts II. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

m) (470-687\735017\448-89582)

ORDINANCE NO. 45-413

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89582 to serve Flat Creek Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

n) (470-693\735023\448-89587)

ORDINANCE NO. 45-414

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89587 to serve Harrison Park Second Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

o) (470-689\735019\448-89595)

ORDINANCE NO. 45-415

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89595 to serve Smithmoor 10th Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

p) (470-691\735021\448-89600)

ORDINANCE NO. 45-416

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89600 to serve Auburn Hills 11th Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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q) (470-690\735020\448-89602)

ORDINANCE NO. 45-417

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89602 to serve Westlink Christian Church Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

r) (470-696\735026\448-89609)

ORDINANCE NO. 45-418

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89609 to serve Hanley Commercial Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

s) (470-700\735030\448-89616)

ORDINANCE NO. 45-419

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89616 to serve Legacy Second Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

t) (470-698\735028\448-89617)

ORDINANCE NO. 45-420

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89617 to serve Rocky Creek and Rocky Creek Second Additions. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

u) (470-701\735031\448-89622)

ORDINANCE NO. 45-421

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89622 to serve Mel Hambelton Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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SANITARY SEWER PROJECTS:

v) (480-541\743853\468-82120)

ORDINANCE NO. 45-422

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 258, Main 5, Sanitary Sewer #22 to serve Fruitvale Park Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

w) (480-507\743819\468-83048)

ORDINANCE NO. 45-423

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 138, Main 4, Sanitary Sewer #23 to serve Jones Park Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

x) (480-536\743848\468-83125)

ORDINANCE NO. 45-424

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 458, Southwest Interceptor Sewer to serve Hanhardt Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

y) (480-544\743856\468-83149)

ORDINANCE NO. 45-425

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Main 3, Cowskin Interceptor Sewer Part 1 to serve Mid-Continent Industrial Parks I & II, Skyway Industrial Park, Dugan Industrial Second and Third Additions and Unplatted Tracts in section 8, TWP 28S, R1W. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

z) (480-546\743858\468-83167)

ORDINANCE NO. 45-426

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 1, Main 19, Southwest Interceptor Sewer to serve Ridge Port North Third and Fourth Additions. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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aa) (480-556\743868\468-83218)

ORDINANCE NO. 45-427

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 467, Southwest Interceptor Sewer to serve Shelly's Orchard Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

bb) (480-573\743885\468-83246)

ORDINANCE NO. 45-428

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 34, Main 24, War Industries Sewer to serve Remington Place. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

cc) (480-571\743883\468-83257)

ORDINANCE NO. 45-429

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 72, Main 5, Sanitary Sewer #23 to serve the Courts II. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

dd) (480-560\743872\468-83260)

ORDINANCE NO. 45-430

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 468, Southwest Interceptor Sewer to serve Flat Creek Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ee) (480-563\743875\468-83266)

ORDINANCE NO. 45-431

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 49, Main 2, Sanitary Sewer #22 to serve W.H.H. Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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ff) (480-562\743874\468-83267)

ORDINANCE NO. 45-432

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 140, Main 4, Sanitary Sewer #23 to serve Timmermeyer Gardens Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

gg) (480-581\743893\468-83268)

ORDINANCE NO. 45-433

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 34, Main 1, Cowskin Interceptor Sewer to serve Mel Hambelton Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

hh) (480-561\743873\468-83272)

ORDINANCE NO. 45-434

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 10, Main 16, Sanitary Sewer #22 to serve Southwest Industrial Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ii) (480-569\743881\468-83275)

ORDINANCE NO. 45-435

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 307, Four Mile Creek Sewer to serve Harrison Park Second Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

jj) (480-565\743877\468-83281)

ORDINANCE NO. 45-436

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 309, Four Mile Creek Sewer to serve Smithmoor 10th Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

kk) (480-566\743878\468-83302)

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ORDINANCE NO. 45-437

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 473, Southwest Interceptor Sewer Part 3 to serve Westlink Christian Church Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ll) (480-570\743882\468-83312)

ORDINANCE NO. 45-438

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 8, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 13th Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

mm) (480-576\743888\468-83321)

ORDINANCE NO. 45-439

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 474, Southwest Interceptor Sewer to serve Legacy Second Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

nn) (480-575\743887\468-83326)

ORDINANCE NO. 45-440

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 468, Southwest Interceptor Sewer to serve the N 236' of a tract beginning 615' S of the NW corner of the SW 1/4; thence E 335'; S 355'; W 335'; and N to the point of beginning in Section 31, Township 27S, R1W. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

oo) (480-577\743889\468-83328)

ORDINANCE NO. 45-441

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 27, Cowskin Interceptor Sewer to serve an Unplatted Tract in Section 26, TWP 27S, R2W. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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pp) (480-582\743894\468-83330)

ORDINANCE NO. 45-442

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Main 3, Cowskin Interceptor Sewer Part II to serve Dugan Industrial Third Addition and Unplatted Tracts in Section 7, TWP 28S R1W. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

qq) (480-583\743895\468-83344)

ORDINANCE NO. 45-443

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 57, Main 3, Southwest Interceptor Sewer to serve Vilm Gardens Second Addition as authorized by Resolution No. 01-448, adopted November 6, 2001, and published November 10, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 16, 2002 in the amount of \$2,830.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

rr) (480-585\743897\468-83352)

ORDINANCE NO. 45-444

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Lateral 479, Southwest Interceptor Sewer to serve Collins First Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

STORM WATER SEWERS:

ss) (485-186/751295/468-82975)

ORDINANCE NO. 45-445

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 142 to serve The Gateway Center Addition (south of 13th, east of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

tt) (485-183/751292/468-83184)

ORDINANCE NO. 45-446

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 161 to serve Angel Fire Addition (north of 47th Street South, east of West Street). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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uu) (485-184/751293/468-83187)

ORDINANCE NO. 45-447

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 157 to serve Shoal Creek Addition (west of 143rd Street East, south of Central). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

vv) (485-185/751294/468-83208)

ORDINANCE NO. 45-448

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 159 to serve The Gateway Center Addition (south of 13th, east of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ww) (485-188/751297/468-83237)

ORDINANCE NO. 45-449

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 550 to serve One Kellogg Place Second Addition (south of Kellogg, east of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

xx) (485-190/751299/468-83261)

ORDINANCE NO. 45-450

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 168 to serve Flat Creek Addition (east of 119th Street West, north of Pawnee). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

yy) (485-191/751300/468-83294)

ORDINANCE NO. 45-451

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 174 to serve YMCA South Addition (west of Meridian, north of MacArthur). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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PAVING PROJECTS:

zz) (405-166/706127/472-82572)

ORDINANCE NO. 45-452

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving the landscaping, beautification, bike path construction and Channell improvements in and adjacent to Armour Drive, Whittier and Willowbrook, and the Armour Drive, Whittier and Willowbrook, and the Armour drainage ditch in the area between Kellogg and Douglas. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7aaa)

Steve Lackey

aaa) (490-721/765610/472-82757)

Public Works Director reviewed the Item.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Carolyn Hendricks

Carolyn Hendricks stated they had just purchased property and was shocked to receive a bill for \$66,000 and wanted to know what she could do about it.

Gary Rebenstorf

Director of Law stated that it is a 100% petition and that it is a lawful petition. Mr. Rebenstorf wandered why Mrs. Hendricks had not received notice of this when she purchased the property. Advised that she would need to take it up with the person she purchased the property from.

Motion --

-- carried

Martz moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

ORDINANCE NO. 45-453

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Taft Avenue from the east line of Julia to the west line of Hoover Street; Hoover Street from the north line of Taft Avenue, and Sidewalk along one side of Taft Avenue and one side of Hoover Street (north of Kellogg, west of Hoover). Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

bbb) (490-756/765645/472-82889)

ORDINANCE NO. 45-454

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Cypress/38th Street North from the north line of 37th Street North to the west line of Webb Road (north of 37th Street North, west of Webb). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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(Agenda Item 7ccc) (490-616/765149/472-82988)

(Agenda Item 7 ddd) (490-617/765156/472-82989)

(Agenda Item 7 eee) (490-618/765164/472-82990)

(Agenda Item 7fff) (490-619/765172/472-82991)

(Agenda Item 7ggg) (490-620/765180/472-82992)

Steve Lackey Public Works Director reviewed CCC, DDD, EEE, FFF, GGG, and stated they are all part of the Auburn Hills Golf Course.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Martz moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinances be placed on their passages and adopted on the date of their introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.
-- carried

(Agenda Item 7ccc) ccc) (490-616/765149/472-82988)

ORDINANCE NO. 45-455

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a golf course clubhouse (south of Maple, west of 135th). Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7 ddd) ddd) (490-617/765156/472-82989)

ORDINANCE NO. 45-456

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a golf court clubhouse (south of Maple, west of 135th Street West). Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7 eee) eee) (490-618/765164/472-82990)

ORDINANCE NO. 45-457

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a golf course clubhouse (south of Maple, west of 135th Street West). Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7fff) fff) (490-619/765172/472-82991)

ORDINANCE NO. 45-458

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a golf course clubhouse, (south of Maple, west of 135th Street West). Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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(Agenda Item 7ggg)

ggg) (490-620/765180/472-82992)

ORDINANCE NO. 45-459

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a golf course clubhouse, (south of Maple, west of 135th Street West. Martz moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7 hhh)

(490-791/765680/472-83035)

Steve Lackey

Public Works Director reviewed the Item.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotte moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

-- carried

ORDINANCE NO. 45-460

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Cypress/38th street north from the north line of 37th Street North to the west line of Webb Road (north of 37th Street North, west of Webb). Pisciotte moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

iii) (490-774/765663/472-83131)

ORDINANCE NO. 45-461

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost for construction of a left turn lane and acceleration/deceleration lane to serve Lots 1 through 8, Brush Creek Third Addition. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

jjj) (490-717/765606/472-83149)

ORDINANCE NO. 45-462

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 26th Street North, from the east line of Arkansas to the east line of Wichita Street. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

kkk) (490-733/765622/472-83151)

ORDINANCE NO. 45-463

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Fairview, from the north line of 26th Street North to the south line of 27th Street North. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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III) (490-720/765609/472-83152)

ORDINANCE NO. 45-464

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Waco from the north line of 26th Street North to the south line of 27th Street North. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

mmm) (490-718/765607/472-83160)

ORDINANCE NO. 45-465

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Jackson, from the north line of 26th Street North to the south line of 27th Street North. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

nnn) (490-745/765634/472-83175)

ORDINANCE NO. 45-466

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Wilson Estates Parkway from the east line of Reserves "S" and "V" of Wilson Farms Addition over to Webb Road, and; sidewalk along Wilson Estates Parkway from the east line of Reserve "S" to the west line of Webb Road (south of 21st, west of Webb). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ooo) (490-808/765697/472-83194)

ORDINANCE NO. 45-467

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Garnett from the south line of Central Avenue, south to a point 350 feet south of the south line of Central Avenue, (south of Central, west of 127th Street East). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ppp) (490-736/765625/472-83199)

ORDINANCE NO. 45-468

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 33rd street north, (from the east line of Coolidge South to the east line of Porter North). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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qqq) (490-747/765636/472-83222)

ORDINANCE NO. 45-469

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Rock Road from approximately 500 Feet south of Douglas Avenue to a point approximately 1600 Feet south of Douglas Avenue (between Kellogg and Douglas). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

rrr) (490-744/765633/472-83232)

ORDINANCE NO. 45-470

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving an accel/decel lane and a left turn lane in Webb Road from a point 80' north of the south lot line of Lot 3, Block 1 to a point 300' south of Wilson Estates Parkway, (south of 21st, west of Webb). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

sss) (490-748/765637/472-83238)

ORDINANCE NO. 45-471

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Sheridan from the north line of Douglas to the south line of Second Street; Mt Carmel from the east line of Sheridan to the south line of First Street, First Street from the east line of Sheridan to the west line of St. Paul Avenue, and; sidewalks on one side of each street, (north of Douglas, east of Sheridan). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ttt) (490-766/765655/472-83267)

ORDINANCE NO. 45-472

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Spyglass from the south line of 45th street North, south to the north line of 44th Street North; 44th Street North from the West line of Ironwood; 44th Street North Ct. From the West line of Spyglass, West to and including the cul-de-sac; Ironwood from the South line of 45th Street North, South to the South line of 44th Street North, and; Ironwood Circle from the South line of 44th Street North, South to and including the cul-de-sac.(south of 45th Street North, west of Webb). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7UUU)
Steve Lackey

uuu) (490-782/765671/472-83272)
Public Works Director reviewed the Item.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Martz moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

-- carried

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ORDINANCE NO. 45-473

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Valley Hi Road, from the west line of Decker Drive, west to the west line of the Plat of Auburn Hills 12th Addition, (south of Maple, west of 135th Street West). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

vvv) (490-771/765660/472-83281)

ORDINANCE NO. 45-474

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Sawdust, from the east line of Rock Road to the west line of Spyglass; Sawdust Ct., from the north line of Sawdust to and including cul-de-sac (Lots 71-77, Block 7); Sawdust Ct., from the north line of Sawdust to and including cul-de-sac (Lots 54-66, Block 7); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 20-33, Block 6); Sawdust Ct., from the west line of Sawdust Court to and including cul-de-sac (Lots 6-19, Block 6); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 34-39, Block 6); Sawdust Ct., from the south line of Sawdust to and including cul-de-sac (Lots 43-51, Block 6); and Spyglass, from the north line of 45th Street North to the north line of Sawdust, (east of Rock, north of 45th street North). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7www)

www) (490-765/765654/472-83284)

Knight moved that this Item be deferred until the next Bond Sale. Motion carried 7 to 0.

xxx) (490-770/765659/472-83290)

ORDINANCE NO. 45-476

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Nineiron, from the south line of Maple, south to the north line of Taft St., on Taft St. from the south line of Nineiron, west to the east line of Decker Street, and on Decker Street from the north line of Valley Hi Road, north to the north line of Taft St., Nineiron Court (Lots 1 through 9, Block A) from the east line of Nineiron, east to and including the "T" intersection, on Nineiron Court. (Lots 12 through 21, Block A) from the east line of Nineiron, east to and including the "T" intersection, and on Nineiron from the east line of Taft St., east, south and west to the east line of Decker Street, (west of 135th Street West, south of Maple). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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yyy) (490-775/765664/472-83292)

ORDINANCE NO. 45-477

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Leonine from the south line of the plat, north to the north line of lot 18, Block C, and on Angel from the east line of Leonine, east to the east line of the plat. on Leonine Court (Lots 1-5, Block C) from the west line of Leonine, west to and including the cul-de-sac; on Leonine Court (Lots 4-10, Block A) from the south line of Leonine, south to and including the cul-de-sac; and on Leonine Court (Lots 11-20, Block A) from the south line of Leonine, south to and including the cul-de-sac. Sidewalk along the west side of Leonine from the south line of the plat north and east to the north line of lot 18, block C, and on Angel from the east line of Leonine, east to the east line of the plat, (north of 47th street South, east of West Street). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

zzz) (490-777/765666/472-83296)

ORDINANCE NO. 45-478

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Siefkes from the east line of the Plat, west to the north line of Spring Hollow, and on Spring Hollow from the west line of Siefkes, south to the south line of the Plat. Castle Rock from the south line of Siefkes, south to the south line of lot 39, Block A, on Whitewood St. from the east line of Spring Hollow, east to the west line of Castle Rock, on Whitewood St. from the west line of Spring Hollow, west to the west line of Hawthorne St., on Whitewood Cir. from the west line of Hawthorne St., west to and including the cul-de sac, on Hawthorne St., from the north line of Whitewood St., north to the north line of lot 17, Block D, and on Whitewood Court, from the north line of Whitewood St., north to and including the cul-de-sac. That sidewalk be constructed along one side Siefkes and Spring Hollow. That there be constructed a decel lane along 143rd street east from the north line of the Plat, south to the north line of Siefkes, (west of 143rd Street East, south of Central). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

aaaa) (490-776/765665/472-83300)

ORDINANCE NO. 45-479

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Bedford and Bedford Courts in Cedarview Second addition (north of Lincoln, east of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

bbbb) (490-772/765661/472-83302)

ORDINANCE NO. 45-480

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Porter, from the north line of 33rd Street North to the south line of 34th Street North. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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(Agenda Item 7 cccc)

Steve Lackey

cccc) (490-786/765675/472-83331)

Public Works Director reviewed the Item.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

-- carried

Fearey moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

ORDINANCE NO. 45-481

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 24th Street North from the east line of Hood to the West line of Payne. Fearey moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

dddd) (490-787/765676/472-83332)

ORDINANCE NO. 45-482

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 24th Street North from the east line of Payne to the west line of Salina. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

eeee) (490-793/765682/472-83370)

ORDINANCE NO. 45-483

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Greenwich Road from the south one of the Plat to Kellogg including a traffic signalization system at the major entrance to one Kellogg Place Second addition at Greenwich Road, Five lane pavement improvements including continuous left turn lane to serve Northbound traffic at Kellogg Place Second addition, Medial removal, and Channelization as necessary to accommodate the traffic signal. (south of Kellogg, east of Greenwich).

ffff) (490-794/765683/472-83372)

ORDINANCE NO. 45-484

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of a traffic signalization system at Zelta and Kellogg, a continuous accel/ decel lane from a point approximately 600 feet west of Ellson to the east line of Zelta, A major intersection at Ellson and Zelta, median improvements on Kellogg at Ellson to accommodate Eastbound left turn lanes and eliminate Westbound turn lanes, and channelization improvements as necessary to accommodate the traffic signal (South of Kellogg, East of Greenwich).

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gggg) (490-790/765679/472-83374)

ORDINANCE NO. 45-485

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Tara Falls, from the south line of Michelle to the south line of Lot 42, Block A, Tara Falls Addition; Tara Falls Court: from the south line of Tara Falls to and including cul-de-sac (Lots 31-41, Block a); and Tara Falls Court: from the north line of Tara Falls to and including cul-de-sac (Lots 19-32, Block C), (south of Harry, east of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

hhhh) (490-806/765695/472-83382)

ORDINANCE NO. 45-486

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost improving Edgemoor Drive from the South line of Lot 97, Block 2 to the southeast line of Lot 84, Block 2; and Pembroke Circle, from the East line of Edgemoor Drive, to the northwest line of Lot 85, Block 2, including the Turn-Around, (east of Oliver, south of 29th Street North). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

iiii) (490-795/765684/472-83383)

ORDINANCE NO. 45-487

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Jewell from the west line of the Plat, east to the east line of the Plat, on Milstead from the south line of Jewell, south to the east line of Lot 24, Block B and on Golden Hills from the south line of Jewell, south to the south line of Lot 2, Block F, Jewell Ct. from the north line of Jewell, north to and including the cul-de-sac. Sidewalk along one side of Jewell from the west line of the Plat to the east line of the Plat, along one side of Milstead from the south line of Jewell, south to the east line of Lot 24, Block B, and on Golden Hills from the south line of Jewell, south to the south line of Lot 2, Block F (east of 119th Street West, north of Pawnee). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

jjjj) (490-799/765688/472-83396)

ORDINANCE NO. 45-488

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Funston, from the west line of Lot 37, Block 2 to Greenwich Road; Derrick Circle, north of Funston including the cul-de-sac; Justin Circle, North of Funston including the cul-de-sac (south of Harry, west of Greenwich). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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kkkk) (490-803/765692/472-83403)

ORDINANCE NO. 45-489

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Sandwedge Circle from the Westerly line of lot 4, Block B, east to and including the cul-de-sac (east of 151st street West, north of Kellogg). Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

llll) (490-812/765701/472-83431)

ORDINANCE NO. 45-490

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Rocky Glen from the South Line of Lot 49, Block 6 Rocky Creek Addition to the south line of Tallowood. A sidewalk shall be constructed on the west side of Rocky Glen from the south line of Lot 49, Block 6 Rocky Creek Addition to the south line of Tallowood (north of 13th, East of 127th Street East).

mmmm) (490-783/765672/472-89247)

ORDINANCE NO. 45-491

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Shadow Lakes, from the east line of Lot 30, Block 6, east to the south line of Northshore Boulevard; and on Northshore Boulevard from the east line of Shadow Lakes, north to the north line of Lot 55, Block 4. Shadow Lakes Ct. Lots 31-34, Block 6, from the south line of Shadow Lakes South to and including the cul-de-sac; Shadow Lakes Ct. Lots 37-41, Block 6 from the south line of Shadow Lakes, south to and including the cul-de-sac; Northshore Ct., Lots 42-47, Block 4 from the west line of Northshore Boulevard, west to and including the cul-de-sac; and on Northshore Ct. Lots 50-54, Block 4 from the west line of Northshore Boulevard, south and west to and including the cul-de-sac. Sidewalk constructed on both sides of Shadow Lakes from the east line of Lot 30, Block 6 to the south line of Northshore Boulevard; on both sides of Northshore Boulevard from the east line of Shadow Lakes, North to the north line of Lot 55, Block 4, north of 29th Street, east of Ridge. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

(Agenda Item 7nnnn)

Steve Lackey

nnnn) (440-103/785717/472-89254)

Public Works Director reviewed the Item.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotte moved that the Declaration of Emergency be approved and the necessary signatures be authorized; and that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0.

-- carried

ORDINANCE NO. 45-390

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction for the College Hill Swimming Pool (east of Hillside, south of Douglas). Pisciotte moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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FRIENDS

PUBLIC HEARING FOR ISSUANCE OF EDUCATIONAL FACILITIES REVENUE BONDS - FRIENDS UNIVERSITY PROJECT. (District IV)

Allen Bell

Economic Director reviewed the Item.

Agenda Report No. 02-1958

The Kansas Independent College Finance Authority (KICFA) is organized as a separate legal entity by its member cities pursuant to the Kansas Constitution and the Kansas Interlocal Cooperation Act, and is authorized to issue bonds or notes for the purpose of making loans to independent colleges and universities to finance, refinance and reimburse the costs of educational facilities and working capital funds and related costs. KICFA is proposing to issue its tax-exempt Educational Facilities Revenue Bonds in the aggregate principal amount of \$8,500,000, on behalf of Friends University. KICFA and Friends University are requesting City Council approval for the issuance of Bonds. To satisfy the federal tax code, it is necessary to hold a TEFRA Hearing prior to approving the issuance of the bonds.

Friend University is a four-year liberal arts university, was founded in 1898, and is a Kansas not-for-profit corporation. The University has a full-time faculty of 75, 62% of whom have earned their Ph.D. degree. The University employs another 178 instructors and adjunct professors who do not possess faculty rank, but are educationally and professionally qualified. For the 2001-2002 school year, the University had 2,842 full-time equivalent students enrolled. The University operates its programs at its Wichita campus and other locations within the State of Kansas and at facilities in Independence, Missouri.

The bond proceeds will be used for the purpose of paying a portion of the costs of acquiring, constructing, furnishing and equipping a student residential and related educational facilities of the institution, located at 2100 W. University Street in west Wichita. The new dormitory facility will consist of 36 apartments designed to accommodate 200 students.

Under federal law, the governing body of the political jurisdiction in which the project is to be located must approve the issuance of the bonds following a public hearing. A notice of the hearing must be published at least 14 days in advance of the hearing.

There is no financial impact on the City in publishing the notice.

The publication of the hearing was published by Triplett, Woolf & Garretson, LLC, special counsel to Friends University.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Gale moved that the public hearing be closed and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-483

A Resolution approving the early redemption of certain of the City's Educational Facilities Refunding Revenue Bonds, Series V, 1998 (Friends University Project); prescribing the form and authorizing the execution of an Escrow Trust Agreement by and between the City, Intrust Bank, N.A. and Friends University; and authorizing the execution and delivery of a (1) termination and release of loan, and (2) satisfaction, discharge and release of indenture, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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BOEING COMPANY PUBLIC HEARING AND ISSUANCE OF INDUSTRIAL REVENUE BONDS – THE BOEING COMPANY. (District III)

Allen Bell

Economic Director reviewed the Item.

Agenda Report No. 02-1959

Since 1979, the City of Wichita has approved over \$3 billion in Industrial Revenue bond financing, in conjunction with ad valorem tax exemptions, to Boeing Commercial Airplanes, Wichita Division “Boeing Wichita”, a division of The Boeing Company. Boeing Wichita is now requesting the issuance of City of Wichita Industrial Revenue Bonds in an amount not-to-exceed \$96 million, under the authority of the Letter of Intent approved November 9, 1999.

Boeing Wichita, located on both sides of Oliver Street from 31st Street South to South of 47th Street, is Kansas’ largest employer, with approximately 12,800 employees and an annual payroll slightly under \$1 billion. Boeing Wichita is engaged in manufacturing support of Boeing commercial airplanes and commercial and military aircraft maintenance and modification. All Boeing Wichita sales are exported out of the state of Kansas.

Bond proceeds will be used for acquisition of new, advanced manufacturing equipment and enhancement of existing facilities. Some of the planned equipment purchases include gantry riveting systems, laser systems, laser scribes air plane program tooling. Boeing advises the new equipment will have no adverse effect on Wichita’s ambient air quality.

Acquisition of advanced technologies and the construction of new facilities is required for Boeing Wichita to compete for commercial and military production, in addition to sustaining on-going production programs. Bond proceeds will have a substantial impact in stabilizing Boeing Wichita employment, thereby helping Wichita retain In these markedly different and difficult times, the bond proceeds will not have an immediate impact in stabilizing employment in the near term but will substantially assist with helping Boeing Wichita retain many critical professional, technical, and highly skilled employees. The economic impact of planned upgrades and expansion has a direct cascade effect on engineering and architect firms, machine shops, and material providers in Wichita.

The firm of Kutak Rock of Omaha, Nebraska will serve as bond counsel in the transaction. The Boeing Company will purchase the Bonds, as a result of which, there is no need for an underwriter. Boeing Wichita has agreed to comply with the Standard Conditions contained in the City’s IRB Policy.

The Boeing Company agrees to pay all costs of issuing the bonds and agrees to pay the City’s \$2,500 annual IRB administrative fee for the term of the bonds. The Boeing Company qualifies for a ten-year 100% property tax exemption on the bond financed property on the basis of membership in the local aircraft manufacturing community, level of capital investment, and 100% out-of-state sales exportation. Consistent with the intent of the City Council in its action approving the November 9, 1999 letter of intent, the ten-year period of exemption is to apply without a review by the Council at the five-year point. The IRB Lease document to be approved by the Bond Ordinance has been drafted accordingly. This is consistent with all discussion had at the public hearing on the item, although references to a five-year review were inadvertently included in the November 9, 1999 minutes from a superseded agenda report.

Council Member Brewer Council Member Brewer declared a “Conflict of Interest” and abstained from any discussion and did not vote.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Lambke moved that the public hearing be closed; the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Revenue Bonds in an amount not-to-exceed \$96 million be placed on first reading; and the necessary signatures be authorized. Motion carried
-- carried 6 to 0. (Brewer abstained)

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ORDINANCE

An Ordinance approving and authorizing the execution of a Lease Agreement between the Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and BNY Trust Company of Missouri; pledging certain payments under said Lease Agreement and moneys and securities held by the Trustee under the term of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series V, 2002 (The Boeing Company Project) of said City in the principal amount of \$96,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of Boeing Commercial Airplanes, Wichita Division, a division of the Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the Trustee and the Paying Agent for said Bonds; authorizing the sale of said Bonds and the execution of a Bond Purchase Agreement therefore; approving and authorizing the execution of an Administrative Service Fee Agreement; and authorizing the execution and delivery of certain related instruments, introduced and under the rules laid over.

DELANO NGBRHOOD PROPOSED DELANO NEIGHBORHOOD OVERLAY DISTRICT AND NEIGHBORHOOD DESIGN GUIDELINES. (Districts IV and VI)

Dale Miller

Acting Director of Planning reviewed the Item.

Agenda Report No. 02-1960

MAPD Staff Recommendation: Authorize the preparation of an ordinance adopting the proposed Delano Neighborhood Overlay District and the Delano Neighborhood Design Guidelines.

MAPC Recommendation: The MAPC voted to deny the proposed Delano Neighborhood Overlay District and the Delano Neighborhood Design Guidelines.

According to the 2000 census, approximately 6,000 people reside within the Delano Neighborhood Plan boundaries. There are also about 300 businesses located within the Delano neighborhood. In April 2001, the City Council and the Sedgwick Board of County Commissioners adopted the Delano Neighborhood Revitalization Plan. This Plan proposed a special and unique vision regarding the future revitalization of the Delano neighborhood, including a set of interim design guidelines that are intended to be used as a basis for the development of a more comprehensive set of design guidelines for the area.

On August 8, 2002, after a year of discussion and development, the proposed Delano Neighborhood Overlay District and Design Guidelines were completed by the Delano Citizen's Steering Committee. (The Steering Committee is comprised of representatives from the Delano Neighborhood Association, the Delano Clergy Association, the Delano Business Association and the Delano Community Development Corporation). The Committee submitted the proposal - in conjunction with a voluntary neighborhood-wide rezoning plan - to the Metropolitan Area Planning Commission for approval.

Public informational meetings were held at Westside Baptist Church on August 20th (approx. 300 in attendance); at St. Joseph's Parish Hall on September 12th (approx. 97 in attendance); and at a neighborhood picnic held at Friends University on September 22nd (approx. 325 in attendance). Public comment was also received at a presentation made to DAB IV on September 4th (approx. 40 in attendance). The DAB IV members passed a motion to disapprove the proposal until further public input and notification had occurred.

Based upon the public comment and action by the DAB Board, the Delano Steering Committee made several major revisions to the proposed Delano Overlay District and Design Guidelines and subsequently incorporated them into the final submission made to the MAPC. One major revision is to temporarily exempt the area located east of Handley, west of McLean, south of 2nd Street and north of Douglas (excepting the frontage parcels) from the rezoning, overlay and design guideline proposal.

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On September 26th, the MAPC heard public comment both for (11 in support of) and against (11 in opposition to) the proposed Delano Overlay District and Design Guidelines as revised 09/17/02. Of the approximately 2,500 Delano property owners notified of the proposed rezoning, overlay and design guideline proposal, 77 property owners submitted to the MAPC, a petition objecting to the proposed overlay district and design guidelines. The MAPD staff report recommendation to the Commission was to approve the proposed Delano Overlay District and Design Guidelines. Staff recommended that the Delano Revised Rezoning map also be approved subject to the accommodation of all written property owner requests received (on or before September 26, 2002), to leave their property as currently zoned.

Action by the MAPC: The MAPC voted against the adoption of the Delano Overlay District and Design Guidelines, and deferred a decision on the neighborhood-wide rezoning proposal until the MAPC meeting of December 19, 2002.

The Law Department expressed concern about Section III-C.8.c(1)(d) of the proposed Overlay District that includes five neighborhood representatives appointed by Council to sit on the Design Review Committee. Typically, this type of Committee would be comprised only of designated City Staff members, with any and all citizen input relegated to an advisory role (as is the case with the Old Town Overlay Design Standards). Appointed citizen members on such a Committee would create an additional administrative burden because Committee meetings would be subject to the open meeting laws and the requirements of public notification, thus creating further delays on requests. The Delano Steering Committee feels that such a design review group of residents of the neighborhood should have more than an advisory role. Under the Staff member Committee option, the City Council can be the established appeals body.

At its meeting of October 16th, DAB IV requested and received an update of the revisions that had been made to the proposed rezoning, overlay district and design guidelines initiative for Delano (since its presentation on September 4th). The DAB IV members voted to support the rezoning, overlay district and design guidelines proposal for Delano - as submitted to the MAPC at the hearing on September 26, 2002. (The Council member for District IV also announced his intention to put the proposed Delano Overlay District and Design Guidelines on the agenda of the November 5, 2002 City Council meeting).

Adoption of the Delano Overlay District and Design Guidelines requires no additional funding on the part of the City, except for the administration costs of the Overlay and Guidelines.

The Delano Overlay District and Guidelines are presented as text amendments to the Unified Zoning Code (UZO). They may be considered by the Council separately from the proposed rezoning which is still under consideration by the MAPC. As zoning code amendments, the City Council may override or modify the MAPC's denial recommendation by a two-thirds vote. Alternatively the Council may return the amendments to the MAPC by a majority vote. If any portion of the overlay proposal (e.g., Design Review Committee) is removed from the UZO, it may be approved by a majority vote in the same manner as any other ordinance.

Mayor Knight

Mayor Knight asked Council Member Gale if this was ready to move forward and Council Member Gale affirmed that it was.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

The following spoke in opposition of the Overlay:

--Keith Stevens, property owner

--Doug Schoen, resident

The following spoke in support of the Overlay.

--Larry Brown, property owner

--Jack Kellogg, President of the Delano Business Association

--Tony Timpy, business and property owner

--David Schuman, Kansas Masonic Home

--Kirk Skinner, Planner that helped the Citizens of Delano prepare the plan

--Ray Rancuret, President of the Delano Neighborhood Association and President of the Delano Development Corporation. Also resident/property owner

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- Morris Dunlap Morris Dunlap, private citizen, business broker, and commercial realtor, stated he is currently guiding new businesses/franchise type operations away from the Delano Area because they have requirements that cannot be incorporated into what is proposed as an overlay. Zoning may need to be changed and he does not oppose that. He supports the plan that has been adopted. Feels area is a little large. Maybe should be more restricted to the major streets. Maybe not go all the way to Meridian and to include all the housing area.
- Jana Schoen Jana Schoen homeowner, wants the area to improve, but felt that people didn't know about all the changes and what's in and what's out. She feels they are being rushed into this. Would rather we stop, slow down and make sure people know. Mrs. Schoen feels a little communication and cooperation would help.
- Council Member Gale Council Member Gale presented a review of the history of the Item.
- Motion -- Gale moved that the recommended action be taken with the following stipulations and amendments: Designate a Design Review Committee comprised of the designated Staff members, with appeals from this committee directly to the City Council. Establish an advisory board comprised of representatives from the four Neighborhood Organizations, MAPC chair or designated planning commissioner, Historic Preservation Board member, District Advisory Board member, Wichita Independent Business Association representative, and Wichita Area Builders Association representative. Instead of the two-year recommended period, would change to a one-year period so at the end of one year, there would be a chance for review. At any time changes can be made or review could happen before then if the Council would choose or the need should arise. In the overlay, there is an exemption proposed with certain boundaries that comprise part of the Urban Village. One version of the proposal at one time called for exempting the entire Urban Village Area. What sits before us currently is a shrunk down version. Would change that to include the Urban Village Redevelopment Area located east of Seneca, west of McLean Blvd, South of Central and the river and north of Douglas Street (not including property adjoining either Douglas or Seneca Streets). Change prohibited uses to conditional uses.
- Council Member Fearey seconded the motion
- Council Member Lambke Council Member Lambke stated he has a problem with the overlay district and design committee and could not keep up with Council Member Gale's motion.
- Substitute motion -- Knight made a substitute motion that this Item be deferred and that Council Member Gale put in writing what is being proposed so it can be studied.
- Mayor Knight Mayor Knight stated that he represented Delano and knew nothing about any of this; also that it needs one team and not a divided Delano. Time needs to be taken to sit down and resolve some of the issues.
- Council Member Pisciotte Council Member Pisciotte feels that because of the lack of harmony it should be delayed, perhaps until after the Planning Commission has had a chance to look at the zoning component, allowing time for consensus that will work for everyone.
- Council Member Gale Council Member Gale stated that On October 22, Council did extend the Delano Moratorium for another six months, which would allow time to resolve issues and complete the entire process.
- Council Member Fearey Council Member Fearey stated she felt it had been easy to follow when the public meetings were going to be held. Also the lack of people speaking against this does show they have done a lot of work.
- Mayor Knight Mayor Knight asked Council Member Gale to make a reframed and deferred substitute motion.
- Second Substitute Motion - Gale moved that this Item be deferred until such time as the Delano zoning matter comes before Council; and that a select committee would work on it in the meantime. Second substitute motion carried 7 to 0.
- carried

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TWO-WAY MAIN ST. TWO-WAY MAIN STREET – DOUGLAS TO MURDOCK. (District VI)

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 02-1961

In November 1956, the Traffic Commission made a recommendation to make Main Street from 300' north of 13th to Harry one-way southbound. The conversion was done in conjunction with other streets in the downtown area to facilitate and provide ease of circulation and additional capacity on the current streets. In February 1957, the City Commission approved Main Street to be made one-way southbound from 13th to Pawnee and Park Place be made one-way southbound from 24th to 17th. The conversions were completed in April 1958.

The Downtown Development Plan that was formulated in the 1990's identified Main Street as a gateway to the core area and recommended that it be converted back to two-way traffic. The project to convert Main Street from Douglas to Kellogg from one-way to two-way was completed in the mid 1990's. The project included complete reconstruction of the street as well as streetscapes (i.e. trash receptacles, newspaper enclosures, benches, etc.).

To complete the conversion, the Capital Improvement Program includes a project to convert the next portion of Main Street from one-way traffic flow to two-way traffic flow from Douglas to Murdock. The firm HWS Consulting Group was employed to study the possible conversion from Douglas to 17th Street North. The District VI Advisory Board held a neighborhood meeting on January 17, 2001, to receive neighborhood input. Residents north of 13th voiced their desire to retain Park Place (Main Street) as one-way north of 13th. The District VI Advisory Board again considered the item on February 20, 2001, and voted to support the recommendation to change Main Street to two-way from Douglas to 13th.

On June 28, 2001, the Downtown Development Corporation indicated its support of the project.

Based on subsequent feedback from affected residents and traffic considerations, the north boundary of the project was reduced to Murdock.

Main Street, north of Douglas, carries one-way southbound traffic. The street transitions to two-way traffic south of Douglas. The project will convert Main, north of Douglas to a two-way roadway with two southbound lanes, one northbound lane, and a center left turn lane. Projected traffic volumes do not warrant another northbound lane. The streets will remain a one-way southbound roadway north of Murdock.

The project budget is \$2,300,000. The funding source is General Obligation Bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Ed Wolverton

Ed Wolverton, Downtown Development Corporation, spoke in favor of the Item.

Mayor Knight

Mayor Knight stated he is concerned with the \$2,300,000 cost for this project and that he would not support this Item.

Council Member Fearey

Council Member Fearey stated she had not heard about any problems or had not heard from anyone regarding this issue.

Motion -- seconded

Fearey moved that the project be approved and the Ordinance be placed on first reading.

Council Member Lambke Council Member Lambke states he agrees with Mayor and is not in favor of changing the street back.

Council Member Martz

Council Member Martz spoke in opposition to spending \$2,300,000 for this project.

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Substitute Motion --
-- carried

Knight made a substitute motion that this item not be funded at this point in time and maybe reconsidered at a later date. Substitute motion carried 5 to 2. Brewer and Fearey, no.

LEGISLATIVE PROG. 2003 LEGISLATIVE PROGRAM.

Mike Taylor

Government Relations Director reviewed the Item.

Agenda Report No. 02-1962

The process of drafting the 2003 Legislative Program began in August when requests for proposed legislation were distributed to City Council Members and City Departments. Discussions have also taken place with Sedgwick County, Regional Economic Area Partnership, League of Kansas Municipalities, Kansas Association of Counties, USD 259, Wichita Area Chamber of Commerce, Wichita Independent Business Association, legislators and others, in an effort to identify and prepare for issues which are likely to be debated by the 2003 Legislature.

The City of Wichita Legislative Program represents the adopted policies and positions of the Wichita City Council.

The program is divided into the following issue sections:

- (1) Home Rule
- (2) Priority Issues
- (3) Principle Issues
- (4) Taxes and Finance
- (5) Community Development
- (6) Health and Environment
- (7) Local Government Administration
- (8) Federal Issues

The 2003 Legislative program contains general policy positions on a variety of issues, allowing the City to respond to specific bills and proposals within an established policy framework.

The 2003 session of the Kansas Legislature will be dominated by budget and financial issues. It is very likely attempts will be made to redirect funding now earmarked for local government programs. Protecting those sources of funding and preserving the Constitutional Right of Home Rule and local control are the major themes in the City of Wichita's 2003 Legislative Program.

Requests for new legislative initiatives by the City of Wichita are being kept to a minimum.

Position statements and proposals in the 2003 Legislative Program will provide the City the legal authority to enhance and improve government operations and services for the public.

Any number of legislative actions can impact City finances. The 2003 Legislative Program is designed to help the City maintain or improve its ability to control the financing of local government services to best serve the citizens of Wichita.

Council Member Martz

Council Member Martz stated that a few weeks ago Congressman Tiahrt and Aca Hutchinson, DEA Director, made joint presentations to the Wichita Fire Department and Sedgwick County Sheriff's Department of approximately \$800,000 that is to be used to fight methamphetamine labs in the area. This is an issue that is continuing to plague the state and the area. It is Council Member Martz's understanding that about a year ago, KBI had asked for consideration in Topeka and did not get a lot of support. He would like to bring this up as an issue that the City of Wichita would help support KBI and Wichita Police Department, etc. to address part of the methamphetamine lab problem and help get sudapheds and over the counter drugs used in this process removed from shelves making them less accessible to shop-lifters, etc. Wants us to support Legislation that would approve measures making these products less available.

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Mike Taylor Government Relations Director stated that KBI would like to see these items taken off the shelf so individuals would have to request them. Also, that the production and sale of the illegal drug, methamphetamine, is costing taxpayers, retail businesses and the agricultural industry in Kansas millions of dollars a year. He states City will urge the Legislature to approve measures which will reduce the number of meth labs and the amount of methamphetamine produced in Kansas, including restrictions on the availability of ephedrine and pseudoephedrine products.

Mayor Knight Mayor Knight states he supports the Vice Mayor in this effort.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --carried Knight moved that the 2003 Legislative Program be approved. Motion carried 7 to 0.

OLD TOWN PARKING AMENDMENT TO ORDINANCE PERTAINING TO PARKING PROCEDURES IN OLD TOWN.

Gary Rebenstorf Director of Law reviewed the Item.

Agenda Report No. 02-1963

The signage in Old Town that imposes parking restrictions incorrectly references the municipal parking ordinance rather than the Old Town District parking procedures. In addition, the Old Town District parking ordinance needs to be amended to allow for the establishment of time limits for parking in designated locations.

Several parking lots in Old Town are currently posted with restricted parking time limits. To enforce these restrictions will require a revision in the City's code to specify time limits established and posted for Old Town parking lots.

There are no financial considerations.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0

ORDINANCE

An Ordinance amending Section 11.52.115 of the Code of the City of Wichita, Kansas, pertaining to parking procedures in lists in the Old Town District and repealing the originals of said Sections, introduced and under the rules laid over.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS.

Motion -- Lambke reappointed Phil Bloomquist, Chantelle Brennan, Judy Dillard, Matt Foley, Gene Fuhr Jim Gulick, Phyllis Hall, John Kemp, Lois Ann Newman and William Ward to DAB III, and moved that

-- carried the appointments be approved. Motion carried 7 to 0.

Motion -- Brewer appointed Ken Hemmen, Ken Woodard, Lois Tulley-Gerber, Debby Moore, Carrie Jones Williams, Treatha Brown Foster, Celinda Porter Robinson, Lori Lawrence, James Thompson, Sharon Myers and Willard Walker to DAB I; and Rickie Coleman, Steve Roberts and Joann Hartig as

-- carried alternates; and moved that the appointments be approved. Motion carried 7 to 0.

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APPOINTMENT TO RE-ENTRY TASK FORCE.

Motion -- carried Fearey moved this Item be deferred until the November 19th meeting. Motion carried 7 to 0.

MUSEUM SITE AFRICAN AMERICAN MUSEUM POTENTIAL SITE OFFERINGS. (REQUESTED BY COUNCIL MEMBER FEAREY)

Motion -- Fearey moved that this Item be deferred to allow more time, not to exceed two months, and brought
-- carried back to Council. Motion carried 7 to 0.

PROCLAMATIONS PROCLAMATION:

--Wichita Area Farm-City Week

Motion -- carried Knight move the Proclamation be approved. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda be approved as consensus Items, with the exception of Item 25; and that Item 27g be deferred until next meeting. Motion carried 7 to 0.

BOARD OF BIDS REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 4, 2002.

Bids were opened October 25 and November 1, 2002, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Install traffic signal at the intersection of 21st Street North and 119th Street West - 21st Street North and 199th Street West. (472-83609/710216 /231078) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Sims Electric - \$93,950.00

Replace sidewalk at the northeast corner of Douglas and Wabash to serve Mathewson's Addition - Northeast Corner of Douglas and Wabash. (472-83616/765751/490862) Traffic to be maintained during construction using flagpersons and barricades. (District I)

Barkley Construction - \$7,817.89* (Base bid plus group 1B)
*Negotiated to engineer's estimate

Four Mile Creek Collection System Improvements (Phase B) - south of 13th Street North, east of 127th Street East. (468-83494/624076/652538) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Garver Construction - \$101,920.00

Remington Lane from the northwest line of Lot 13, Block D, west to the east line of Kentucky Lane; Bluegrass from the southwesterly line of Bluegrass Court, west to the east line of Kentucky Lane; Kentucky Lane from the west line of Bluegrass, north to the north line of the plat; Remington Lane Court from the north line of Remington Lane, north to and including the cul-de-sac; Bluegrass Court from the north line of Bluegrass, north to and including the cul-de-sac, and; sidewalk along one side of Remington Lane from the northwesterly line of Lot 13, Block D, to the east line of Kentucky Lane, on Bluegrass from the southwesterly line of Bluegrass Court, west to the east line of Kentucky Lane, and on Kentucky Lane from the west line of Bluegrass, north to the north line of the plat to serve Highland

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Springs Second Addition - south of Central, west of 135th Street West. (472-83144/765750/490861)
Does not affect existing traffic. (District V)

Cornejo & Sons Inc. - \$170,100.75

Lateral 39, Main 24, War Industry Sewer to serve The Waterfront Addition - north of 13th Street North, east of Webb. (468-83495/743946/480634) Does not affect existing traffic. (District II)

WB Carter Construction - \$37,731.00

Lateral 462, Southwest Interceptor Sewer to serve Evergreen Addition Phase IV - north of 21st Street North, west of Maize Road. (468-83148/743947/480635) Does not affect existing traffic. (District V)

Mies Construction - \$51,107.50

Storm Water Sewer #528 to serve Highland Springs Second Addition - south of Central, west of 135th Street West) (468-83034/751319/485210) Does not affect existing traffic. (District V)

Jayhawk Contractors - \$31,598.00

Water distribution system to serve Evergreen Addition Phase IV - north of 21st Street North, west of Maize Road. (448-89490/735081/470751) Does not affect existing traffic. (District V)

McCullough Excavation - \$40,000.00

2002 sanitary sewer reconstruction, Phase 8 - south of 21st Street North, west of Woodlawn. (468-83531/620355/662478) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,III,VI)

WB Carter Construction - \$215,358.00

2002 sanitary sewer rehabilitation, Phase G - south of 29th Street North, west of Woodlawn. (468-83536/620356/662479) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,III,VI)

Insituform Technologies - \$145,135.60

20 inch water supply line in 159th Street East - 159th Street East at Kellogg. (448-89705/635642 /762698) Traffic to be maintained during construction using flagpersons and barricades. (County)

Dondlinger & Sons - \$138,246.00

Improving Hydraulic from MacArthur to 47th South, Phase III - Hydraulic and MacArthur. (472-83324/706810/636111/622079/201275/772067/671005) Traffic to be maintained during construction using flagpersons and barricades. (District III)

Cornejo & Sons Inc. - \$1,984,542.37

2002 Utility Cut Repair of Streets, Driveways and Sidewalks – north of 47th Street South, East of 135th Street West. (472-83443/132035)

Cornejo & Sons Inc. - Approve Contract Amendment for additional \$500,000 per Original Contract provisions and 8-13-02 Budget Increase.

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

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PUBLIC WORKS DEPARTMENT/FLEET & BUILDING DIVISION: Telescoping Steel Sign Post System. (130849 & 132217)

Allied Tube & Conduit - \$ 9.87 (Item 1/total net bid)
\$ 7.84 (Item 2/total net bid)
\$ 8.82 (Item 3/total net bid)
\$ 9.80 (Item 4/total net bid)
\$13.79 (Item 5/total net bid)
\$ 5.32 (Item 6/total net bid)
\$ 5.78 (Item 7/total net bid)
\$ 2.88 (Item 8/total net bid)
\$ 3.23 (Item 9/total net bid)
\$.46 (Item 10/total net bid)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Anhydrous Ammonia (Bulk Delivery)

Field Solutions LLC - \$280.00 (Unit price per ton/firm bid price)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Relocation of Rubble and Grading. (131376)

Pearson Excavating Inc. - \$123,540.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Fencing. (131376)

American Fence - \$74,852.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Street Sign Hardware. (132217)

Whitco Sign & Mfg. Corp. - \$3.11 (Item 1/each)
\$3.11 (Item 2/each)

PUBLIC WORKS DEPARTMENT/TRAFFIC MAINTENANCE DIVISION: Street Name Signs. (132217)

Whitco Sign & Mfg. Corp. - \$5,881.22 (Total net bid)

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Hot and Cold Mix Asphalt. (132225)

APAC-Kansas Inc. - \$42.90 (Group I/Item 1-Summer pricing/per ton/at plant)
\$42.90 (Group I/Item 2-Winter pricing/per ton/at plant)
\$47.40 (Group I/Item 3-Summer pricing/per ton/delivered/5801)
\$47.40 (Group I/Item 4-Winter pricing/per ton/delivered/5801)
\$47.40 (Group I/Item 5-Summer pricing/per ton/delivered/2901)
\$47.40 (Group I/Item 6-Winter pricing/per ton/delivered/2901)
\$36.00 (Group II/Item 7-Summer pricing/per ton/at plant)
\$36.00 (Group II/Item 8-Winter pricing/per ton/at plant)
\$43.50 (Group II/Item 9-Summer pricing per ton/delivered/5801)
\$43.50 (Group II/Item 10-Winter pricing per ton/delivered/5801)
\$43.50 (Group II/Item 11-Summer pricing per ton/delivered/2901)
\$43.50 (Group II/Item 12-Winter pricing per ton/delivered/2901)
\$24.45 (Group III/Item 13-Summer pricing per ton)
\$24.45 (Group III/Item 14-Winter pricing per ton)

Finance Department-IT/IS DIVISION: Library Integration. (101014)

SBC Data Comm - \$14,531.20* (State of Kansas Contract/Cisco Equipment)

*Purchases utilizing Government Entities Contracts and Agreements, Ordinance No. 38-122

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PUBLIC WORKS DEPARTMENT/FLEET MAINTENANCE DIVISION: Air Compressor-Trailer Mounted. (130807)

White Star Machinery & Supply Co. - \$9,994.00* (Total net base bid)
\$ 205.00* (Option 1/total net bid)
\$ 225.00* (Option 2/total net bid)

*Purchase two additional units at the same unit cost for the Water & Sewer Department Water Distribution Division, OCA #183327)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS /SERVICES:

Renewal Adult Entertainment

Valerie Washington Camelot Theater 1519 South Oliver

LICENSES

NEW ESCORT SERVICE

Vicki Maness Babes 520 South Holland #205

Motion

-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
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Jo Lynn Blood	Pine Bay Golf Course, Inc.*	6615 South Grove
Warren K. Myer	Sim Park Golf Course*	2020 West Murdock

<u>New Establishment</u>	<u>(Consumption on Premises)</u>
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Tony W. Ho	Asian Gourmet Inc. Dba Roma Pasta Bistro*	7820 East Harry
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<u>Renewal</u>	<u>(Consumption off Premises)</u>
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Don Farquhar	Rolling Hills Country Club Golf Shop	9612 West Maple
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion

-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Sub-Division Plans and Specifications submitted.

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PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

- a) Lateral 338, Four Mile Creek Sewer to serve Savanna at Castle Rock Ranch Ninth Addition - north of 13th Street North, east of 143rd Street East. (468-83497/743943/480631) Does not affect existing traffic. (District II) - \$180,000.00
- b) Water distribution system to serve Savanna at Castle Rock Ranch Ninth Addition - north of 13th Street North, east of 143rd Street East. (448-89304/735079/470749) Does not affect existing traffic. (District II) - \$79,050.00
- c) Water distribution system to serve Eagles Landing at North Oliver Second Addition - south of 45th Street North, west of Oliver. (448-89651/735078/470748) Does not affect existing traffic. (District I) - \$63,220.00
- d) Nims Sanitary Sewer Lift Station, Force Main and Gravity Line - south of 13th Street North, east of Little Arkansas River. (468-83308/620324/661448) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$420,000.00
- e) 2002 condemned sidewalk and wheelchair ramps, Phase 2 - north of 55th Street South, east of 135th Street West. (472-83630/132100/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV,V,VI) - \$55,360.00
- f) (Amended) - Cost of drive and parking lot improvements for Southlakes Park - east of Meridian, south of 47th Street South. All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer. (District IV) - Total estimated cost - \$450,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS DEEDS AND EASEMENTS:

- a) Utility Easement dated October 9, 2002, from Beech Lake Development, LLC, a Kansas Limited Liability Company for a tract of land in the Southwest Quarter of Section 9, Township 27 South, Range 2 East of the 6th P.M., Wichita, Sedgwick County, Kansas (SSL 39-24-WIS, OCA # 743946). No cost to City.
- b) Utility Easement from the City of Wichita, Kansas, a Municipal Corporation for a tract of land in Lot 1, Block 1, YMCA South Addition, an addition to Wichita, Sedgwick County, Kansas (Fire Stations, OCA # 792309). No cost to City.

Motion --
-- carried

Knight moved that the documents be received and filed; and the necessary signatures be authorized
Motion carried 7 to 0.

STREET CLOSURES CONSIDERATION OF STREET CLOSURES/USES/SPECIAL EVENTS.

Agenda Report No. 02-2015

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.

- 1) Veterans' Day Ceremony/ November 8, 2002 (Friday)
Street Closure: Century II Drive from Main to Douglas, 9:00 – 11:30 am

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- 2) Festival of Angels Art & Craft Show/ November 9, 2002 (Friday & Saturday)
Street Closure: South half of 100 block of N. Quentin, Blessed Sacrament Church
Area 4:30 – 10:00 pm Friday
5:00 – 7:00 pm Saturday
- 3) Young People's Concert/ November 12-14, 2002 (Saturday – Monday)
Street Closure: Century II Drive from Main to Douglas, 9:00 –12:00 am
- 4) Turkey Trot/November 23, 2002 (Saturday)
Street Closure: Close half of Amidon from south of Murdock to 12th Street (one lane each provided for north & south bound traffic), 9:30 - 9:40 am. Remainder of route will be on bike paths.

Police security is arranged to remove blockades as necessary to allow emergency vehicle access during entire designated time period

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

(Agenda Report No. 25)

FINANCIAL REPORT QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDED SEPTEMBER 30, 2002.

Ray Trail

Director of Finance reviewed the Item.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

WEAPONS

WEAPONS DESTRUCTION:

Agenda Report No. 02-1964

The Police Department has requested authorization to destroy several weapons which have been confiscated in criminal activity but are no longer needed as evidence.

City Code provides that weapons seized in connection with criminal activity shall be destroyed or forfeited to the Wichita Police Department. All transactions involving weapon disposal must have prior approval of the City Manager. A list of weapons being destroyed has been provided (attached), and includes a total of 83 handguns and 37 long guns. The destruction of the weapons will be witnessed and monitored by Staff.

There are no financial considerations.

Upon review by the City Council, the necessary court documents will be prepared to proceed with destruction of the listed weapons.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

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INTERPRETER

TRANSLATION AND INTERPRETER SERVICES.

Agenda Report No. 02-1965

The Municipal Court is required by state statute (K.S.A. 75-4351) to provide translation and interpreter services for court proceedings involving persons whose primary language is other than English. The interpreter must be able to readily communicate with the person and be able to accurately, clearly and effectively repeat and translate the statement of such person and/or translate documents presented to the individual. The most frequently required languages have been Spanish and Vietnamese.

A Request for Proposal (RFP) was developed seeking vendors that could provide translation and interpreter services for court proceedings. The RFP was submitted to multiple vendors and published in The Wichita Eagle. Four vendors responded. A selection committee reviewed and evaluated the proposals and the vendor Translation and Interpreter Services Company has been recommended. This company has provided interpreter services to the Court since 1996, met the requirements of the RFP and offered the lowest cost. The hourly rate for translation and interpreting service is designated per language type: \$29.90 per hour for Spanish; \$35 per hour for Vietnamese and Laotian; \$40 per hour for French; and \$45 per hour for all other languages.

The proposed contract pricing is identical for Spanish, the most widely used (70% of the time) language. However, the proposed pricing for Vietnamese (12% of all translations) and other languages (18% of all translations) is higher than the current rate of \$29.90 per hour. Annual expenditures are also dependent upon the number of non-English speaking defendants, which has been increasing.

State law requires the Court to provide translation and interpreter services for court proceedings. Further, the Court cannot assess the expense for this service against the defendant. The Municipal Court's 2002 budget includes \$12,000 for translation and interpreter services and, in past years, expenditures have been near this level. The proposed hourly rate increase will be effective November 2002, but the expected expense can be absorbed within the budget through the remainder of this year. Estimated expenditures in year 2003 could be as high as \$19,000, primarily due to the increased number of defendants requiring interpreter services. An increase in the budgeted amount will be requested during the 2003 revised budget process.

The Law Department will review and approve the contract as to form.

Motion --

Knight moved that the selection of Translation and Interpreter Services Company as the provider of interpreter services to the Municipal Court be approved; and the necessary signatures be authorized.

-- carried

Motion carried 7 to 0.

EQUUS BEDS

SUPPLEMENTAL - EQUUS BEDS AQUIFER STORAGE AND RECOVERY.

Agenda Report No. 02-1966

On January 8, 2002, City Council approved a Contract with Burns & McDonnell to provide engineering and design services for Phase I of the Equus Beds Aquifer Storage and Recovery Project. Phase I includes construction of seven wells to capture excess flows in the Little Arkansas River and six recharge sites.

A potentially significant artifact was discovered during a cultural resources investigation of project sites adjacent to the Little Arkansas River. The artifact is a clay pot that appears to be approximately 1,000 years old and is an indication that the site could be culturally significant. Staff recommends that the site be investigated more extensively and that parameters be established. Identifying the limits of the site will determine the area to avoid during construction of the facilities for this phase of the project. The Supplemental Agreement is for archeological services to identify the site, and to catalog and preserve additional artifacts discovered during the investigation.

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Funding is available in Water Supply Plan Phase III (CIP W-549). Services to perform the archeological work will be billed on an hourly basis, with the Agreement not to exceed \$33,842.

City Council approval is required for Contracts over \$10,000.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

TASK FORCES

FBI - HEART OF AMERICA JOINT TERRORISM TASK FORCE AND DEA - HIGH INTENSITY DRUG TRAFFICKING AREA TASK FORCE

Agenda Report No. 02-1967

The Wichita Police Department (WPD) is a participant in the FBI-Heart of America Joint Terrorism Task Force (HOA-JTTF) and the DEA-High Intensity Drug Trafficking Area (HIDTA) Task Force. The mission of the HOA-JTTF is to investigate terrorist organizations planning or carrying out terrorist acts occurring in or affecting the state of Kansas and Western Missouri, and will apprehend individuals committing such violations. The mission of the Wichita HIDTA Task Force is to dismantle methamphetamine and poly-drug manufacturing and trafficking organizations in the area of Sedgwick County, thereby reducing the availability of illegal drugs and reducing their impact in this area.

The FBI and DEA will reimburse the City of Wichita for personnel assigned to these task forces, for overtime costs and related expenses. Currently, the WPD has one detective assigned full-time to the HOA-JTTF and one detective assigned full-time to the HIDTA Task Force.

The FBI and DEA will reimburse the WPD for overtime and related expenses incurred by the detectives assigned to these task forces.

The agreements will be reviewed and approved as to form by the Law Department.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

DEFERRAL LIENS

RELEASE OF HARDSHIP DEFERRAL LIENS.

Agenda Report No. 02-1968

When property owners are approved for hardship deferrals for their special assessments, a lien is placed on the property and filed with the Sedgwick County Register of Deeds. When the property owner no longer qualifies or requests that the deferral be discontinued, the City releases the lien on the property and either collects payment for the special assessments or places the special assessments back on to the tax roll for collection.

The property owner for key number D-27625 had originally been approved for a hardship deferral. Since the time of the approval, the property owner has passed away. Because the property will now be under new ownership, the specials have been placed back on the tax roll.

The City of Wichita will collect yearly payments for the special assessments added to the tax rolls beginning with the 2002 tax roll.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

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RAILROAD SIGNALS INSTALLATION OF RAILROAD SIGNALS. (District VI)

Agenda Report No. 02-1969

Representations of the City, State, and Railroad Company reviewed the railroad crossings on Westdale and Thirteenth Streets adjacent to Zoo Boulevard. As a result of this review, a signal system upgrade along with the installation of new lights and gates were recommended at both locations.

The Agreements will authorize the necessary signal revisions. Traffic should not be affected during the system improvement work.

The proposed signal system improvements will be paid for with 100% Federal Funds estimated to be \$185,284.00 at the Thirteenth Street crossing and \$206,364.00 at the Westdale crossing. The Agreements obligate the City to install and maintain the necessary advance warning signs and pavement markings at the crossing area. This expense, approximately \$2,500 per location will be paid from the Traffic Maintenance Operating Budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

WORKFORCE

WORKFORCE ALLIANCE CONTRACT AMENDMENT.

Agenda Report No. 02-1970

The Workforce Investment Act (WIA) provides federal funds to enable local areas to establish unified workforce development systems and to provide workforce investment activities through those systems. The Workforce Alliance of South Central Kansas (WA) is the local board that provides policy direction for workforce investment activities in south central Kansas. The City of Wichita is designated as the local fiscal agent for the WIA funds.

At its July 2, 2002, meeting, acting upon the recommendation and action by the Workforce Alliance Board - the City Council approved of the contract with the Conlee Consulting Group as the provider of Executive Director and support services for the WA and authorized a contract totaling \$124,800, payable at a rate of \$10,400 per month, for those services. The Conlee Consulting Group has also been providing the WA with marketing and public relations services through a separate contract that expired on September 30, 2002. The Workforce Alliance Board's Marketing Committee recommends that the Conlee Executive Director and Support Services Contract be amended effective October 1, 2002 to include the Marketing and Public Relations Contract services at the additional rate of \$4,000 per month. City staff has prepared such a contract amendment at the request of the Workforce Alliance Board of Directors.

The City Council - acting as the designated fiscal agent for the Alliance - is being requested to approve an amendment to the Conlee Executive Director and Support Services Contract that will incorporate a previously existing Marketing and Public Relations Contract through the remainder of the contract which ends May 31, 2003. Additional marketing services incorporated under the amendment include: (1) Establishing an ongoing dialogue with area employers regarding the skills needed for employment as well as the availability of training and employees; (2) Work with the WA Marketing Committee to develop and execute a strategic marketing plan with specific goals and tactics; (3) Improve the public visibility of the WA and coordinate initiatives with the Workforce Network of Kansas; and (4) Provide analysis and reports on labor market data.

Under the contract amendment the total will increase from \$124,800 to an amount not to exceed \$156,800, plus the reimbursement of expenses as authorized jointly by the Workforce Alliance and the City. Effective October 1, 2002, monthly contract payments will increase to \$14,400. The City will use federal WIA funds it receives to pay contract costs. The contract will not obligate general fund monies.

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The contract amendment has been approved as to form by the Department of Law and Conlee Consulting and Workforce Alliance representative signatures have been obtained.

Motion -- Knight moved that the Agreements/Contracts be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

(Agenda Report No. 27g)

WORKFORCE

WORKFORCE LOCAL ELECTED OFFICIALS BOARD.

Motion -- carried Knight moved that this Item be deferred until the next Council Meeting. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - SANITARY SEWER AND WATER IMPROVEMENTS – AREA WEST OF MAIZE ROAD, NORTH OF 29TH STREET NORTH. (District V)

Agenda Report No. 02-1972

The 2002 Capital Improvement Program includes extending water and sewer mains in response to growth and development in the western portion of the City.

The proposed Agreement between the City and Baughman Company, P.A. provides for designing sanitary sewer and water improvements to serve an area generally west of Maize Road and north of 29th Street North. The Staff Screening & Selection Committee selected Baughman for the design on September 5, 2002.

Payment will be on a lump sum basis of \$28,000 and will be paid by Revenue Bonds and Operating Revenues.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - EAGLES LANDING AT NORTH OLIVER SECOND ADDITION (WATER AND PAVING) – SOUTH OF 45TH STREET NORTH, WEST OF OLIVER. (District I)

Agenda Report No. 02-1973

The City Council approved the project on January 15, 2002.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements (water and paving) in Eagles Landing at North Oliver 2nd Addition. Per Administrative Regulation 7a, staff recommends the selection of Baughman as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$38,400, and will be paid by special assessments.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - EAGLES LANDING AT NORTH OLIVER SECOND ADDITION (SANITARY SEWER) – SOUTH OF 45TH STREET NORTH, WEST OF OLIVER. (District I)

Agenda Report No. No. 02-1974

The City Council approved the project on January 15, 2002.

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The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements (sanitary sewer) in Eagles Landing at North Oliver 2nd Addition. Per Administrative Regulation 7a, staff recommends the selection of Baughman as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$11,200, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - SANITARY SEWER AND WATER IMPROVEMENTS – AREA EAST OF ROCK ROAD, SOUTH OF 53RD STREET NORTH. (District II)

Agenda Report No. 02-1975

The 2002 Capital Improvement Program includes extending water and sewer mains in response to growth and development in the eastern area of the City.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for designing sanitary sewer and water improvements to serve an area generally east of Rock Road and south of 53rd Street North. The Staff Screening & Selection Committee selected MKEC for the design on September 5, 2002.

Payment will be on a lump sum basis of \$32,500 and will be paid by Revenue Bonds and Operating Revenues.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - WHITE TAIL ADDITION – SOUTH OF 13TH STREET, WEST OF 127TH STREET EAST. (District II)

Agenda Report No. 02-1976

The City Council approved the project on November 11, 1993.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements in White Tail Addition. Per Administrative Regulation 7a, staff recommends the selection of MKEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$10,930, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
Motion carried 7 to 0.

DESIGN SERVICES

SUPPLEMENTAL AGREEMENT FOR DESIGN SERVICES - WEST DOUGLAS STREETScape, ARKANSAS RIVER TO SENECA. (District IV)

Agenda Report No. 02-1977

On January 4, 2000, the City entered into an Agreement with McCluggage, VanSickle & Perry Architects (MVP) to develop a design concept and cost estimate for the West Douglas Streetscaping project from west of McLean Boulevard to Seneca within the Delano Area. The fee was \$24,000. On

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August 14, 2001, the City Council approved Supplemental Agreement No. 1 for the balance of the design and construction documents, including construction administration to be performed by MVP. The fee was \$207,500.

The City has requested a peer review of the round-about at Sycamore. Supplemental Agreement No. 2 has been prepared.

Payment will be on a lump sum basis of \$1,750, and will be paid by General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PARKING LOT IMP. CHANGE ORDER: SOUTH LAKES PARK PARKING LOT IMPROVEMENTS – EAST OF MERIDIAN, SOUTH OF 47TH STREET SOUTH. (District IV)

Agenda Report No. 02-1978

On September 10, 2002 the City Council approved a construction contract to pave parking lots in South Lakes Park. Based on favorable bid prices, it is recommended that the project be expanded to include pavement of an entrance road on Meridian.

A Change Order has been prepared that authorizes the additional work. Funding is available within the Park Capital Improvement Program.

The total cost of the additional work is \$25,528. The funding source is General Obligation Bonds.

The Change Order amount is within 25% of the construction contract cost limit set by the City Council policy.

Motion --
-- carried

Knight moved that the Change Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HISTORIC PRES. HISTORIC PRESERVATION FUND GRANT PROPOSAL.

Agenda Report No. 02-1979

As a Certified Local Government (CLG), the City is eligible to participate in the Historic Preservation Fund (HPF) Grant program (administered by the Kansas State Historic Preservation Office) to finance activities that will contribute to planning for the preservation of environment and archaeological resources. These proposals are for projects that the Historic Preservation Board has adopted as part of its annual work program. City Council action is required to provide assurances for submission of the grant proposal.

The grant would provide funding for three projects:

- 1) Salary assistance to fund a part-time position to assist with activities carried-out by the Historic Preservation Office. The federal grant for the position is \$20,710, which includes salary and required employment benefits.
- 2) Funding to hire a consultant to research and economic benefits of historic districts and a comparison between historic district design regulations and subdivision covenants. The federal grant for the study is \$12,000.
- 3) Funding to hire a consultant to evaluate the condition of the terra cotta and masonry at North High School and provide a cost estimate of needed repairs. The federal grant for the report is \$22,000.

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HPF grants require a 40 percent match of the total project cost. The total cost is \$91,184 with federal match of \$54,710 and City match of \$36,474. Because the 40 percent, the City match exceeds \$10,000, City Council must authorize the signatures for required documentation for proposal submission. The 40 percent match required for the grant is from wages and benefits for Planning Department staff involved in the project.

Motion --
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

LIBRARY

LIBRARY GRANTS-IN-AID PROGRAM.

Agenda Report No. 02-1980

State grants-in-aid funding is distributed each year to local public libraries to be used to enhance library service and to offset the cost of serving Kansas residents that live outside a library's local taxing district. Grants are distributed using a population-based formula. With the exception of provisions preventing use of grants for construction, repair, debt reduction or utilities, there are no limitations on how local libraries may choose to utilize grant funds.

The Wichita Public Library relies upon grants-in-aid funding to expand staffing, to help underwrite costs of delivering electronic information to customers and to purchase library materials and minor office equipment. The Local Historian, one Central Library Children's Section paraprofessional, two part-time clerks for the Central Library Business & Technology Section and the Library's volunteer coordinator are among the positions funded by this grant program. Electronic databases and subscriptions such as the Access Kansas are purchased from this funding source. Additional copies of high demand items such as bestsellers, books on cassette and CD-ROM and specialized reference tools such as genealogical resources and newspapers on microfilm are among materials purchase priorities.

State Library staff indicates the 2003 grant award to the Wichita Public Library will be approximately \$268,500. Library staff have proposed a budget of \$172,994 for personal services; a total of \$26,682 for contractual expenses including Internet access charges, binding of library materials, fees for cataloging and processing of library materials and equipment repairs; \$48,824 for the purchase of commodities including library materials, office and computer supplies and minor office equipment; and \$20,000 for capital purchases of furniture and equipment. This budget was reviewed and approved by the Library's Board of Directors at its October 15 meeting.

Motion --
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and submission of the grant budget to the Kansas State Library and the necessary signatures be authorized. Motion carried 7 to 0.

LIBRARY LOAN

LIBRARY LOAN DEVELOPMENT PROGRAM.

Agenda Report No 02-1981

The Interlibrary Loan Development Program (ILDP) is a collection development grant program available to all types of libraries in Kansas. It is funded by the Kansas State Legislature and administered by the Kansas Library Network Board, a division of the Kansas State Library. ILDP resource grants are distributed automatically each year to 23 public libraries that shoulder the majority of the state's interlibrary loan volume. The Wichita Public Library is one of these agencies. ILDP resource libraries are required to use their grants to buy high-demand materials in designated subject areas. Wichita's assigned subject areas include the social sciences, natural sciences, mathematics, technology, the arts and genealogy.

ILDP collection development grants strengthen the statewide interlibrary loan network. Libraries receiving grants must make all circulating items in their collections available via interlibrary loan. There are no other requirements of resource libraries for program participation. Because the materials are available for use by local library customers when not on loan to other libraries in the state, Wichita's library customer receive a significant and direct benefit from the library's participation in the program.

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A minimum of 80% of the annual grant award must be spent directly on the purchase of materials. Up to 20% of the award may be used annually to offset the cost of supplies required to prepare materials for circulation within the purchasing library or through interlibrary loan to other libraries in Kansas. The 2002-2003 award to Wichita totals \$103,124. The Library proposes the allowed 20% set aside for supplies and 80% budgeted for materials purchases. This materials budget represents 12.75% of the 2003 general fund budget for library materials purchases and will enable significant numbers of purchases in the assigned subject areas. This budget was reviewed and approved by the Library's Board of Directors at its October 15 meeting.

Motion --
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the Grant budget and the necessary signatures be authorized. Motion carried 7 to 0.

S.C. KS LIBRARY

SOUTH CENTRAL KANSAS LIBRARY SYSTEM AID TO LOCAL UNITS BUDGET.

Agenda Report No 02-1982

The South Central Kansas Library System (SCKLS) provides annual grants to its member public libraries are part of its aid to local units service. These grants include two components: 1) basic grants provided for the improvement of library service and for extending service to SCKLS residents that live outside the local library taxing district boundaries; and 2) supplemental grants based on statistics representing the number of local library items loaned to other libraries and the number of out of district customers served by the local library. No grant application or contract is required for receipt of these funds. Public libraries are only required to submit statistics in a timely fashion and to maintain membership in the library system in order to qualify for funding through this program.

SCKLS is funded through a 12-county, ¾ mil tax on property that is outside of an established public library taxing district. Aid to local units funding is intended to reimburse member public libraries for the customer they serve from outside their taxing districts and for the interlibrary loan service they provide to other libraries. The Wichita Public Library uses funding from this source to fund the salaries of its Interlibrary Loan Librarian and a part-time clerk at the Westlink branch which serves a significant population base from western Sedgwick County. Additional funds are used for employee training; an institutional membership in the Kansas Library Association; the purchase and processing of library materials; and for minor office equipment purchases and repairs.

Wichita's 2003 grant award is projected to be \$89,750. \$13,000 of the award will be spent on library materials, office supplies, equipment and reimbursement of Talking Books volunteer parking expenses; \$17,550 for employee training, expenses related to the opening of the Alford branch, and for an institutional membership in the Kansas Library Association. The remaining \$59,198 is budgeted for personal services. This budget was reviewed and approved by the Library's Board of Directors at its October 15 meeting.

Motion --
-- carried

Knight moved that acceptance of the funds and proposed budget be approved. Motion carried 7 to 0.

VENDOR

CITY HALL FIRE ALARM SYSTEM UPGRADE.

Agenda Report No. 02-1983

The existing City Hall fire alarm system is outdated, and does not comply with current Fire and International Building Code (IBC) requirements.

On May 7, 2002, City Council approved the project, adopted the Resolution, and authorized Staff to select a consultant.

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The City currently contracts with SimplexGrinnell to provide service and maintenance for the existing fire alarm system within City Hall. SimplexGrinnell was asked to provide a bid to upgrade the system to comply with current code requirements to include the Americans with Disability Act (ADA).

Upon completion of the upgrade, City Hall will have a programmable voice notification system along with visual strobe devices. All initiating devices (that are currently non-addressable) will be replaced with new addressable devices. This will include pull stations, duct detectors and smoke sensors. All the upper floor main corridors around the elevator lobbies will be provided with smoke sensors.

In addition to the devices listed (above), the kitchen hood system will be monitored, the existing Halon panel will be monitored for alarm and trouble, and the fire pump controller will be monitored for status that the current fire pump controller can provide.

Upon completion of the project, Simplex Grinnell will test the system with the City Fire Department. They will also provide training for both of the operators/first responders to a system alarm. This would include those persons that work on the fifth floor where the remote enunciator is located. City maintenance personnel will also be trained for response and minor troubleshooting of the system.

The cost to upgrade the existing fire alarm system is \$281,387. The project is authorized in the 2002-2011 Capital Improvement Program (CIP) at \$300,000 (PB-352003, Project No. 435343, OCA No. 792373).

Ordinance 35856 (b), Sole Source of Supply permits the Purchasing Manager, with the approval of the Governing Body, to negotiate directly for the purchase of services where it is in the best interest of the City.

Motion --
-- carried

Knight moved that SimplexGrinnell be approved as the preferred vendor; and negotiation of the Contract and the necessary signatures be authorized. Motion carried 7 to 0.

SANITARY SEWER

PUBLIC EXIGENCY PROJECT – SANITARY SEWER REPAIRS. (District II)

Agenda Report No. 02-1984

On March 6, 2001, City Council approved the acquisition of the Four Mile Creek sewer facilities from the Sedgwick County Sewer District. During the televising of the newly acquired sewer system, Staff discovered a partial blockage along 143rd St. E. (between 13th N. and Central). An 18-inch cast-iron main had corroded causing flow problems. A contractor was hired to blade out the corrosion and install a Cured-In-Place Liner. As part of the necessity to bypass pump, in order to install the liner, they hired WB Carter Construction to excavate and install a valve on a 12-inch force main that discharges into this area. During excavation, the top of the 12-inch force main collapsed. It was discovered that this portion of the force main is also cast iron and is corroded to the point that disturbing the ground caused the top of the pipe to collapse. To ensure structural integrity, the cast-iron portion needs to be replaced.

WB Carter Construction is already working at the site and has submitted a bid for \$9,231 to replace up to 60 linear feet of force main. The City Manager approved proceeding with the project on October 15, 2002.

Reconstruction of Sanitary Sewers (CIP S-4) has a budget of \$3,500,000 for 2002. This repair will be funded from Sewer Utility Revenues and Reserves and/or a future revenue bond issue.

City Ordinance 2.64.020, "Public Exigency," authorizes the City Manager to approve work to be performed by a contractor without formal bidding.

Motion -- carried

Knight moved that approval of the project be affirmed. Motion carried 7 to 0.

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WATER

WATER TREATMENT PLANT SECURITY.

Agenda Report No. 02-1985

The delivery of water and sewer services are critical needs of the community. It is imperative that the utility continues to improve the security of these critical public services.

A Facilities Assessment Study has been completed that identifies and evaluates the risks to the utility, along with the necessary improvements that must be made to reduce those risks. As a result of the study, Staff have identified several projects that will improve the reliability of the utility and reduce known risks. This is one of several that will be submitted for approval. Staff believes it is a candidate for the design/build process that would serve to shorten the project time.

Cost estimation for the improvement is \$225,000. Funding is available in CIP W-903, Security Improvements.

City Council authorization is required for projects in excess of \$10,000. In accordance with Charter Ordinance 111, City Council approval is required for a "design/build" project.

Motion --
-- carried

Knight moved that the design/build project be approved and that Purchasing be authorized to issue Requests for Proposals. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 2403 SOUTH MOSLEY: PAWNEE RAIL SEPARATION PROJECT. (District III)

Agenda Report No. 02-1986

The Pawnee Rail Separation Project will require the full or partial acquisition of several tracts. One of the properties required is 2403 South Mosley, owned by Ronnie and Mary Troy. The site contains 8,250 square feet and is improved with a 680 square foot frame single-family residence. The property has two bedrooms and one bath.

The property was appraised for \$42,000. The owner has agreed to sell for a negotiated amount of \$44,000. The property is presently leased. The tenant will be relocated and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be funds provided by Union Pacific Railroad. A budget of \$50,000 is requested. This includes \$44,000 for the acquisition, \$5,500 for demolition, and \$500 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF A PART OF 3300 NORTH ROCK ROAD FOR THE INTERSECTION OF 32ND STREET NORTH AND ROCK ROAD. (District II)

Agenda Report No. 02-1987

On November 6, 2001, City Council approved an ordinance calling for the improvement of Rock Road from 32nd Street North to K-96 and the intersection of Rock Road and 21st Street North. The improvements will require the partial acquisition of the northeast corner of 32nd and Rock Road. A 96 square foot triangular tract is required. Golf Discount of St. Louis is the owner of the corner.

The permanent acquisition has been valued at \$2,000. The owner has agreed to accept this amount. If the project impacts any improvements, these will be replaced as part of the project.

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The Council approved \$250,000 in general obligation bonds for this project. A budget of \$2,000 is requested for the acquisition.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 422 SOUTH RIDGECREST: EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 02-1988

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. One of the properties to be acquired is 422 South Ridgecrest, owned by Warren Groves. The site contains 14,200 square feet and is improved with a 3,002 square foot stone duplex. Each unit has two bedrooms and one bath. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was valued at \$200,000. The owner has agreed to sell for this amount. The property is presently leased. The tenant will be relocated and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$227,000 is requested. This includes \$200,000 for the acquisition, \$10,000 for demolition, \$15,000 for relocation and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

PARTIAL ACQUISITION OF 581 WEST DOUGLAS. (District IV)

Agenda Report No. 02-1989

The City Council on August 10, 1999, approved funding to improve West Douglas between Seneca and McLean Boulevard. The project requires the partial acquisition of two parcels for reconstruction and upgrading of Douglas to rehabilitate and reconstruct the pavement and sidewalk where necessary to add aesthetic enhancements. This tract is part of the property located at 581 West Douglas, owned by David Scott Wise.

The subject tract contains approximately 26 square feet and will require the taking of a fence. The property owner has agreed to accept the City's offer of \$1,400. The owner will be responsible moving the fence and other site improvements.

A budget of \$2,000 is requested. This includes \$1,400 for the acquisition, and \$600 for title insurance and miscellaneous closing costs. General Obligation bonds will be used for this project.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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PROPERTY ACQ. ACQUISITION OF 2443 SOUTH MEAD: PAWNEE RAIL SEPARATION PROJECT.
(District III)

Agenda Report No. 02-1990

The Pawnee Rail Separation Project will require the full or partial acquisition of several tracts. One of the properties required is 2443 South Mead, owned by Juan Gutierrez. The site contains 8,100 square feet and is improved with a 875 square foot frame single-family residence. The property has two bedrooms and one bath.

The owner has agreed to sell for a negotiated amount of \$52,000. The property is presently owner occupied. The owners will be vacate the home within 90 days of closing and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be funds provided by Union Pacific Railroad. A budget of \$58,000 is requested. This includes \$52,000 for the acquisition, \$5,500 for demolition, and \$500 for closing costs and title insurance.

Motion -- Knight moved that the budget and the Contract be approved; and the necessary signatures be
-- carried authorized. Motion carried 7 to 0.

OLD TOWN CINEMA RESOLUTION CONSIDERING ADOPTION OF A REDEVELOPMENT PROJECT PLAN
(TAX INCREMENT FINANCING) FOR OLD TOWN CINEMA PROJECT. (District VI)

Agenda Report No. 02-1991

On December 21, 1999, City Council approved an ordinance establishing a Tax Increment Redevelopment District to provide a source of public funding for the development of a multiplex cinema complex, offices, apartments, retail space and parking structures in an area north and west of the existing Old Town District. Due to the scope of the project being reduced, on December 18, 2001, the City Council approved an Ordinance reducing the size of the district to its current boundaries. The boundary includes the area immediately north of Old Town Redevelopment District, from Santa Fe Street to Washington Avenue and from Second Street to Third Street. Before any incremental tax revenues can be captured and paid to the City, the City Council must adopt a redevelopment project plan, following notice and hearing, which provides details of the redevelopment project and the costs to be paid with tax increment financing.

K.S.A. 12-1772 prescribes the process the City must follow in adopting a redevelopment project plan for tax increment financing purposes. The City Council must first adopt a resolution stating it is considering the adoption of a redevelopment project plan and setting the time and place for a public hearing on the matter. The resolution, must be mailed by certified mail to the owners and occupants of all property located within the district, as well as to the Board of County Commissioners and to the U.S.D. 259 Board of Education. The proposed time for the public hearing on the redevelopment project plan is 9:30 a.m. or thereafter, on Tuesday, December 10, 2002, in the City Council Chambers.

The redevelopment project plan will identify the project area (Santa Fe Street to Rock Island Avenue, from 2nd to 3rd Street) in which redevelopment project will occur, the specific costs to be paid with TIF revenues and the nature, scope and timing of new facilities to be developed as part of the redevelopment project. The redevelopment project plan will also include a detailed feasibility report that shows the sufficiency of TIF revenues and other project funding to pay all costs associated with the redevelopment project. Prior to the public hearing before the City Council, the Metropolitan Area Planning Commission will consider the redevelopment project plan and determine its consistency with the community's Comprehensive Plan.

The cost of mailing the Resolution to all owners and occupants of property located within the district will be charged to the Old Town Cinema redevelopment project and ultimately paid from TIF revenues.

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Motion --

Knight moved that the Resolution declaring intent to consider adoption of a redevelopment project plan for the Old Town Cinema Redevelopment District and setting December 10, 2002, as the date for a public hearing on the matter be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 02-484

A Resolution stating the City of Wichita is considering the adoption of a Redevelopment Project Plan for the Old Town Cinema Redevelopment District, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ OCTOBER 22, 2002)

- a) Appointment of special officers to enforce parking violations.

ORDINANCE NO. 45-492

An Ordinance amending Section 11.16.040 of the Code of the City of Wichita, Kansas, pertaining to Police Officers and duties to enforce traffic violations under Chapter 11 of the Code, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- b) SCZ-0780 - northeast corner of 21st Street North and 127th Street East. (District II)

ORDINANCE NO. 45-493

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. SCZ-0780

- c) ZON2002-40 - northeast corner of 21st Street North and 127th Street East. (District II)

ORDINANCE NO. 45-494

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2002-40

SECTION 108

SECTION 108 LOAN PROGRAM AND NOTE ISSUANCE.

Agenda Report No. 02-1992

On November 20, 2001 City Council approved first reading of the original ordinance and execution of the HUD Section 108 Contract for Loan Guarantee Assistance and EDI funding agreements. The legal documents approved by the City Council on November 20, 2001 have been revised by HUD to extend the commitment dates, allow the issuance of multiple notes and other minor changes that will make the program easier to facilitate. Action is required to execute the revised agreements in order to implement the Business Assistance Program. These revised documents are between the City and HUD to provide Section 108 Loan Guarantee and Economic Development Initiative funds. To facilitate the Business Assistance Program the City will contract with South Central Kansas Economic Development District (SCKEDD) and Wichita Technology Corporation (WTC).

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The revised ordinance authorizes the City to execute the revised contract for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, in connection with the financing of a portion of the loans extended to qualified eligible small businesses within the City's Neighborhood Revitalization Strategy Areas ("Business Borrowers"), under the City's Business Assistance Program. The revised ordinance also authorizes the execution of a HUD variable/fixed rate note in the maximum aggregate principal amount of \$3,000,000 in connection with such financing; pledges CDBG grant funds and other security to secure the United States Department of Housing and Urban Development's guaranty of such note; approves the form of an amended and restated Master Fiscal Agency Agreement dated May 17, 2000, and a Trust Agreement dated January 1, 1995. WTC will provide applicant intake, maintain Business Assistance Program web site and provide borrowers technical assistance. SCKEDD will package the Section 108 Loans and service borrower's payments.

HUD has approved the Section 108 Loan Guarantee funds in the amount of \$3 million dollars to serve as a portion of the loan pool. Private lenders have committed \$6 million dollars to the loan pool. EDI funds will serve as the loan loss reserve to protect the City's Section 108 loans, pay a portion of the interest on the Section 108 loan on behalf of borrowers, and provide technical assistance to borrowers and loan packaging fees.

In the event there is a default, to the extent the loan cannot be repaid from loan collateral and EDI loan loss reserves, the HUD Section 108 loan repayments will be automatically recovered by HUD from the City's next CDBG allocation. The City must pledge its future CDBG allocations as collateral for the Section 108 loans. There is no requirement for local matching funds.

The revised ordinance has been prepared by the Law Department and approved as to form by the Law Department. Upon passage of the ordinance, the City will have met the requirements necessary to execute the revised Section 108 Contract for Loan Guarantee Assistance, Section 108 Note and revised EDI funding agreements. Contracts have been negotiated with WTC and SCKEDD and approved by the Law Department.

Motion --

Knight moved that the revised HUD Section 108 Contract for Loan Guarantee Assistance, Section 108 Note and revised EDI funding Agreements and the Contracts for WTC and SCKEDD be approved; the revised Ordinance be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance of the City of Wichita, Kansas (the "City"), authorizing the execution of a contract for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, in connection with the financing of a portion of the loans extended to qualified eligible small businesses within the City's Neighborhood Revitalization Strategy Areas ("business borrowers"), under the City's Business Assistance Program; authorizing the execution of one or more variable/fixed rate note(s) in the maximum aggregate principal amount of \$3,000,000 in connection with such financing; pledging grant funds and other security to secure the United States Department of Housing and Urban Development's guaranty of such note(s); approving the form of an amended and Restated Master Fiscal Agency Agreement dated as of May 17, 2000, and a certain Trust Agreement dated as of January 1, 1995, as supplemented and amended; authorizing appropriate co-guaranty agreements between the City and the Small Business Administration ("SBA") and certain banks, for support of loans to business borrowers and sharing of collateral; authorizing appropriate operating agreements between the City and banks extending SBA-guaranteed loans, for the initiation of loans to business borrowers and sharing of collateral; authorizing the execution and/or acceptance of loan and security agreements to secure repayment of loans made to business borrowers; authorizing an arrangement between the City and one or more loan sevicer(s), concerning certain functions in the initiation and servicing of loans to business borrowers to be performed by such loan sevicer(s) on behalf of the city; designating Commerce Bank, N.A., as custodian of certain accounts and security documents required by the contract for loan guarantee assistance; and, repealing Ordinance 45-149 of the City of Wichita, introduced and under the rules laid over.

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PLANNING AGENDA

Dale Miller

Acting Director of Planning stated that the Planning Agenda could be considered as consensus, with the exception of Items 49 and 50, unless the Council desired to withhold other Items.

Knight moved that the Planning Agenda be approved as consensus Items, with the exception of Items 49 and 50, unless the Council wished to withhold Items.

DR2001-09

DR2001-09 – AMENDMENTS TO THE WICHITA-SEDGWICK COUNTY SUBDIVISION REGULATIONS.

Agenda Report No. 02-1993

Staff Recommendation: Approve the amendments.

MAPC Recommendation: Approve amendments (13-0).

The amendment reflects current policy for County Surveying regarding plat review. The latest amendments to the Unified Zoning Code applicable to the Subdivision Regulations were included. A new section addressing current policy for plat extensions was also added.

The amendment codifies our current policy for cul-de-sac street length for rural plats. A maximum street length of a half-mile will be permitted for: a) streets which contain a 36-foot wide rock surface and propose future access to adjoining properties, and for b) a final plat that is a portion of an overall preliminary plat that indicates eventual continuation of the street. The maximum cul-de-sac street length for urban plats was also revised from 600 feet to 800 feet.

The amendment also codifies our current policy for Street lighting in the City and extends its applicability to new urban-scale residential subdivisions located within Wichita's three-mile ring.

For plats or lot splits in areas with existing water and sewer service, an amendment was added that permits a public sewer easement or public water easement to be established over a private sewer line or private water line in limited situations with the approval of the City of Wichita Water and Sewer Department.

The current section entitled "Vesting of Development Rights" was revised to include a rewording of the current regulations regarding certain properties in the County that are currently exempt from platting. No substantive changes were made, only revised language to eliminate existing ambiguities and address the August 2002 development deadline for undeveloped contiguous lots held in common ownership.

The section entitled "Applicability" was revised to delete the language which implies that platting is required for any sale or division of land. It clarifies that platting, replatting, or a lot split is required before the issuance of building permits.

Applicable sections regarding access issues were revised in accordance with the City of Wichita Access Management Policy.

For regulations involving water supply systems or sewage disposal systems, references to the City-County Department of Health were replaced with "City Environmental Health Department/County Code Enforcement, as applicable"

Planning staff has reviewed this amendment with the City and County Legal Departments prior to review by the Subdivision Committee. The Subdivision Committee reviewed the proposed amendments on September 19, 2002.

The MAPC held the public hearing on October 24, 2002 and voted unanimously to recommend the amendments proposed by staff.

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These amendments to the Wichita-Sedgwick County Subdivision Regulations will affect properties both inside the city limits and in the unincorporated area of Sedgwick County. Both the City Council and the Sedgwick County Commission will need to approve the amendments in order for them to be in full effect. Legal Departments for both the City and the County have reviewed the amendments and approved the form for the respective adopting Ordinances and Resolutions.

Motion --
-- carried

Knight moved that the amendments be approved and the Ordinance be placed of first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending the "Wichita-Sedgwick County Subdivision Regulations, January 28, 1999 Edition," as adopted by reference in City of Wichita Code Sec. 28.05.010, introduced and under the rules laid over.

SUB2002-53

SUB2002-53 – PLAT OF RIDGE PORT NORTH FIFTH ADDITION- SOUTH SIDE OF 37TH STREET NORTH, EAST OF RIDGE ROAD. (District V)

Agenda Report No. 02-1994

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (13-0)

This is a replat of a portion of the Ridge Port North Fourth Addition.

A zone change (ZON 2002-43) from "GO", General Office District to "SF-5" Single-Family Residential District was approved for this site.

Petitions, all 100%, have been submitted for sewer, water, drainage and paving improvements. A Certificate of Petitions has also been submitted. To provide for off-street parking for lots adjacent to narrow streets, a Restrictive Covenant has been submitted requiring that four (4) off-street spaces be provided per dwelling unit on each lot. In order to allow for the platting of a street with a narrow or nonstandard right-of-way dedication, a 15-foot street drainage and utility easement was platted with a covenant restricting the use of easement. Since this is a replat of a previous Addition, a document was provided for this Addition to share in the ownership and responsibility of previously platted reserves.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, Restrictive Covenants and the maintenance reserve document will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; the Resolutions be adopted; and the ZON 2002-43 Ordinance be placed on first reading with publication being withheld until the Plat is recorded with the Register of Deeds. Motion carried 7 to 0.

RESOLUTION NO. 02-485

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89740 (south of 37th Street North, east of Ridge Road) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 02-486

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89741 (south of 37th Street North, east of Ridge Road) 448-89741, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-487

Resolution of findings of advisability and Resolution authorizing improving of Water Distribution System Number 448-89742 (south of 37th Street North, east of Ridge Road), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-488

Resolution of findings of advisability and Resolution authorizing improving of Lateral 6, Main 19, Southwest Interceptor Sewer, (south of 37th Street North, east of Ridge Road), 468-83524, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-489

Resolution of findings of advisability and Resolution authorizing improving of Lateral 7, Main 19, Southwest Interceptor Sewer (south of 37th Street North, east of Ridge Road) 468-82525, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-490

Resolution of findings of advisability and Resolution authorizing improving Ridge Port from the north line of the Plat, south to the north line of Brookview; on Conrey from the west line of Ridge Port, west to the west line of Hazelwood; on Hazelwood from the south line of Conrey, south to the north line of Brookview; and on Brookview, from the west line of Hazelwood, east to the east line of the Plat. Ridge Port Ct., (Lots 1 through 9, Block A) from the east line of Ridge Port, east to and including the "T" Intersection; on Ridge Port Ct., (Lots 10 through 18, Block A) from the east line of Ridge Port, east to and including the "T" intersection; and on Brookview Cir. from the west line of Brookview, west to Lot 13, Block B. Sidewalk along one side of Ridge Port, Conrey, Hazelwood, and Brookview, (south of 37th Street North, east of Ridge) 472-83649, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, 472-83649, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 02-491

Resolution of findings of advisability and Resolution authorizing improving 34TH Street North from the east line of Lot 15, Block C, Ridge Port north 4th Addition; east and north to the north line of Lot 17, Block B, Ridge Port North 4th Addition; on Brookview from the north line of Lot 17, Block B, Ridge Port North 4th Addition, north and west to the east line of Ridge Port; on Ridge Port, from the south line of Brookview, south to the north line of Lot 10, Block A, Ridge Port North 4th Addition; and on Lakeway, from the north line of Brookview, north to the north line of the Plat. Brookview Ct., from the north line of Brookview, north to and including the cul-de-sac. Sidewalk along one side of 34th Street North from the east line of Lot 15, Block C, Ridge Port North 4th Addition to the north line of Lot 17, Block B, Ridge Port North 4th Addition; and along one side of Brookview, Ridge Port, and Lakeway, (south of 37th Street North, east of Ridge) 472-83650, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas,

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210.
ZON 2002-43

DED2002-31

DED 2002-31 -- DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF 58TH STREET SOUTH AND SENECA. (District IV)

Agenda Report No. 02-1995

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-100, and is being dedicated for 30 feet street right-of-way along Seneca Street.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED2002-32

DED 2002-32 -- DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF 58TH STREET SOUTH AND SENECA. (District IV)

Agenda Report No. 02-1996

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-100, and is being dedicated for 35 feet street right-of-way along Osage Street.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion --

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion

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-- carried

carried 7 to 0.

DED2002-33

DED 2002-33 -- DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF 58TH STREET SOUTH AND SENECA. (DISTRICT IV)

Agenda Report No. 02-1997

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-100, and is being dedicated for 60 feet street right-of-way along 58th Street South.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED2002-34

DED 2002-34 -- DEDICATION OF ACCESS CONTROL FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF 58TH STREET SOUTH AND SENECA. (DISTRICT IV)

Agenda Report No. 02-1998

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Lot Split No. SUB 2002-100, and is being dedicated for complete access control along Seneca Street.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED2002-35

DED2002-35 -- DEDICATION OF STREET RIGHT-OF-WAY -- SOUTHEAST CORNER OF BROADWAY AND BOSTON. (District I)

Agenda Report No. 02-1999

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of a Conditional Use (Case No. CON 2002-43), and is being dedicated for street right-of-way along Broadway Avenue.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

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Motion --
-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED2002-36

DED2002-36 – DEDICATION OF ACCESS CONTROL – SOUTHEAST CORNER OF BROADWAY AND BOSTON. (District I)

Agenda Report No. 02-2000

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of a Conditional Use (Case No. CON 2002-43), and is being dedicated for complete access control, except for two openings, along Broadway Avenue.

The Dedication has been reviewed and approved by the Planning Commission.

There are no financial considerations.

The Dedication will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

Z-3350 AND Z-3360

Z-3350 AND Z-3360 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR A ZONE CHANGE REQUEST FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED COMMERCIAL – SOUTH OF MAPLE, EAST OF RIDGE. (District V)

Agenda Report No. 02-2001

On February 8, 2000 and May 2, 2000, the City Council approved zone change requests from “SF-5” Single-Family Residential to “LC” Limited Commercial on properties located south of Maple and east of Ridge. Approval of the zone change requests was subject to the condition of platting the properties within one year. An application to plat the properties was submitted on June 2, 2000; however, the applicant requested several deferrals during the platting process, which prevented completion the plat prior to the deadline. At the request of the applicant, staff approved an extension of time to complete platting to November 2, 2001. The applicant subsequently requested two additional deferrals of the platting process, which prevented completion the plat prior to the extended deadline. On November 1, 2001, the applicant requested an additional six-month extension of time to complete platting, which was granted by the City Council on November 20, 2001. The second extension of time to complete platting expired on May 2, 2002, and on June 17, 2002, the applicant requested a third extension of time to complete platting to August 31, 2002, which was granted by the City Council on July 2, 2002. The applicant indicates that the continuation of rezoning efforts on surrounding properties and negotiations between development groups in the area have prevented completion of the plat; therefore, the applicant has requested a fourth extension of time to complete platting. MAPC Policy Statement No. 5 indicates that extension requests beyond the first extension of time to complete platting require City Council approval.

Motion --
-- carried

Knight moved that the extension of time to August 31, 2003, to complete platting be approved. Motion carried 7 to 0.

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Z-3359

Z-3359 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR A ZONE CHANGE REQUEST FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED COMMERCIAL – SOUTH OF MAPLE, EAST OF RIDGE. (District V)

Agenda Report No. 02-2002

Staff Recommendation: Approve extension of time to complete platting.

On May 2, 2000, the City Council approved a zone change request from “SF-5” Single-Family Residential to “LC” Limited Commercial on property located south of Maple and east of Ridge. Approval of the zone change request was subject to the condition of platting the property within one year. An application to plat the property was submitted on June 2, 2000; however, the applicant requested several deferrals during the platting process, which prevented completion the plat prior to the deadline. At the request of the applicant, Staff approved an extension of time to complete platting to November 2, 2001. The applicant subsequently requested two additional deferrals of the platting process, which prevented completion the plat prior to the extended deadline. On November 1, 2001, the applicant requested an additional six-month extension of time to complete platting, which was granted by the City Council on November 20, 2001. The second extension of time to complete platting expired on May 2, 2002, and on June 17, 2002, the applicant requested a third extension of time to complete platting to August 31, 2002, which was granted by the City Council on July 2, 2002. The applicant indicates that the continuation of rezoning efforts on surrounding properties and negotiations between development groups in the area have prevented completion of the plat; therefore, the applicant has requested a fourth extension of time to complete platting. MAPC Policy Statement No. 5 indicates that extension requests beyond the first extension of time to complete platting require City Council approval.

Motion --
-- carried

Knight moved that the extension of time to August 31, 2003, to complete platting be approved. Motion carried 7 to 0.

ZON2001-00009

ZON2001-00009 (ASSOCIATED WITH CUP2001-00005 DP-255) - EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR A ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED COMMERCIAL AND GENERAL OFFICE. (District II)

Agenda Report No. 02-2003

On May 1, 2001, the City Council approved a zone change request from “SF-6” Single-Family Residential and “SF-20” Single-Family Residential to “LC” Limited Commercial and “GO” General Office and the creation of KTP Center Addition C.U.P. on property generally located on the northwest corner of 127th Street East and Central Avenue. Approval of the requests was subject to the condition of platting the property within one year. An application to plat the property was submitted June 11, 2001, and was approved by the MAPC on September 20, 2001. On May 16, 2002, the applicant requested an extension of time to complete platting to allow time to resolve legal issues related with a change in ownership for the property, and staff approved a six-month extension of time to complete platting. The extended platting deadline is November 1, 2002; however, the applicant indicates that the legal issues related with a change in ownership for the property are not yet resolved and additional time is needed to complete the plat. Therefore, the applicant has requested an additional one-year extension of time to complete platting. MAPC Policy Statement No. 5 indicates that second extensions of time to complete platting require City Council approval.

Motion --

Knight moved that the extension of time to November 1, 2003, to complete platting be approved. Motion carried 7 to 0.

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(Agenda Item No. 49)

ZON2002-00026

ZON2002-00026 – ZONE CHANGE FROM TWO-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, AND LIMITED COMMERCIAL TO LIMITED COMMERCIAL; AND CUP2002-00020 – THE OLIVER RETAIL COMMUNITY UNIT PLAN – SOUTH OF KELLOGG, EITHER SIDE OF OLIVER. (District II)

Dale Miller

Acting Director of Planning reviewed the Item.

Agenda Report No. 02-2004

MAPC Recommendation: Approve, subject to revised conditions. (8-0)

Staff Recommendation: Approve, subject to conditions.

DAB Recommendation: Approve, subject to MAPD staff conditions and with DAB II reviewing the plat before it is made final (8-0)

The applicant is requesting the creation of a Community Unit Plan for the two corners of Oliver on the south side of Kellogg Drive. The 5.14-acre C.U.P. would have two parcels. Parcel 1 would be located on the southwest corner of Kellogg Drive and Oliver would be 3.73 acres in size. It would include all the lots along Oliver between Kellogg and Orme except the southernmost residence, and extend westward from Oliver to Pershing. Parcel 2 would be located on the southeast corner and would be 1.39 acres in size. It would include the block bounded by Kellogg, Oliver, Eilerts Street and Glendale.

The C.U.P. excludes the tract closest to each corner of the intersection of Kellogg and Oliver. These excluded tracts are owned by the City of Wichita and are to be used as landscaping at the border of the off-ramps from the Kellogg/Oliver underpass, and will be subject to Design Council review prior to approval of the landscaping plan. The tract on the southeast also contains the irrigation equipment for landscaping in the right-of-way along the south side of Kellogg from Hillside to Oliver.

Currently Parcel 1 consists of commercial uses zoned "LC" Limited Commercial, some vacant lots, and small residences on property zoned "TF-3" Two-family Residential. More specifically, the property east of Dellrose is developed with the existing Midas Muffler Center, with Midas as the main tenant and six small businesses in the center. Another strip center was located between Dellrose and Oliver, but it was destroyed by a tornado in 1999 and the site has been cleared. The land swapped with the City of Wichita for landscaping includes part of this former strip center. Highland Lane, a small public way about 120 feet south of Kellogg, is proposed to be vacated. Three vacant residential lots are located south of Highland, and the remainder of Parcel 1 is occupied with single-family houses proposed for demolition for redevelopment.

Six four-plexes are located on Parcel 2. The parcel is zoned "MF-29" Multi-family.

Proposed uses for the Oliver Retail Center are all uses allowed in the "LC" Limited Commercial zoning district except adult entertainment establishments, group homes, group residential, halfway house, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor would be allowed as long as food was the primary service of the establishment. The C.U.P. does not request exclusion of vehicle sales and gambling facilities. However these uses were excluded by the Real Estate Purchase Contract between the City of Wichita and Donald Walenta and should be excluded by the C.U.P.

Some of the potential commercial uses, as proposed, include convenience stores, service stations, general retail and office, secondhand stores, pawnshops, restaurants (including drive-in and drive-through), animal care (limited), banks, funeral home, hotel, personal care service, personal improvement service, indoor recreation and entertainment (see Article III, Section III-B.14.b of the Unified Zoning Code for complete listing of permitted by-right uses).

Building setbacks for Parcel 1 along the common property lines with residential zoning (TF-3) and existing residences are shown as ten feet in width. This is significantly less than the 35-foot standard C.U.P. requirement, as well as the 25-foot compatibility setback that is required by the Unified Zoning Code when commercial use borders residential use. A six-foot masonry wall is proposed along these

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common property lines. Otherwise, the C.U.P. does not include any additional measures to reduce the impact of commercial use on the adjacent residences. Examples of measures employed in other C.U.P.s include restrictions on drive-in and drive-through restaurants, overhead doors, and gas islands within 200 feet of residential zoning, limiting lighting standards in height, or additional landscape buffering requirements.

Parcel 2 proposes a 15-foot setback on Glendale and Eilerts. Again, this is below the 35-foot standard C.U.P. setback and the 25-foot street side setback of the UZC. The properties across Eilerts and Glendale are zoned "LC" and "GO", although a "LC/GO" property consist of two four-plexes in exceptionally good condition that would be impacted by the 15-foot setback, particularly if no landscaped street yard and parking lot screening or screening of mechanical, work and storage areas is provided (these measures would not be required by the UZC because of the commercial zoning across both streets).

Height for both parcels is requested as 45 feet. This is ten feet higher than for "LC" in the Unified Zoning Code.

Circulation is a major concern for the parcels (see Public Services discussion below).

The character of the surrounding area to the south and west of Parcel 1 is modest but well maintained single-family residences. Jefferson Elementary is located on the southwest corner of Oliver and Orme. The area south of Parcel 2 is a small retail strip center, Cedar Village. The land east of Glendale transitions from a vehicle sales operation along Kellogg, to two four-plexes, to single-family residences in good condition.

At the MAPC meeting held September 26, 2002, the MAPC voted (8-0) to approve subject to staff recommended conditions, as modified by staff presentation at the meeting, and subject to additional revisions of allowing a point of access on the Kellogg off-ramp if allowed by KDOT and a point of access on Kellogg Drive east of Oliver. These conditions would be as follows:

- A. Approve the zone change (ZON2002-00020) to "LC" Limited Commercial for subject to replatting of the entire property within one year.
- B. APPROVE the Community Unit Plan (DP-261), subject to the following conditions:
 1. Access from the Kellogg off-ramp is contingent on receiving approval of the access break from KDOT.
 2. The C.U.P. shall be revised to specify the northernmost openings on Parcels 1 and 2 (located at the current location of Highland Lane) as right-in/right-out only.
 3. An additional ten feet of right-of-way should be shown along the northeast segment of Parcel 1.
 4. General Provision #5 shall be revised to include: "A guarantee at time of platting shall be provided for a continuous decel lane on the west side of Oliver from Kellogg off-ramp south to the full movement entrance and a decel lane on east side of Oliver from Eilerts street to the right-in/right-out access point. Necessary extension of the left-turn lane on northbound Oliver shall be evaluated and determined at time of platting."
 5. A circulation plan shall be submitted and approved by the Traffic Engineer in conjunction with the Planning Director prior to the issuance of any building permit; with the circulation plan being designed to discourage travel on Pershing and channel traffic toward Oliver for Parcel 1.
 6. The C.U.P. shall be revised to provide additional landscaped buffer trees wherever a 10-foot setback is proposed, with no loading docks, trash receptacles or outdoor work and storage areas being allowed within the 10-foot setback. This setback would replace the compatibility setback of 25-feet of UZC Sec. IV-C.4.

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6. The C.U.P. shall be revised for Parcel 2 to provide a 20-foot building setback along Eilerts Street and Glendale.
8. Parcel Description 1(F) and 2(F) shall be revised to add: "however, heights of structures shall be subject to UZC Sec. IV-C.5.b.
9. General Provision #14 shall be revised to state that trash dumpsters may not be placed any closer than 20 feet from the property line as required per UZC Sec. IV-C.7.b.
10. General Provision #17 shall be revised to add the following: (sentence 1) and be permitted those uses allowed by-right in the "LC" Limited Commercial zone. (additional sentences) No overhead doors, drive-in or drive-through facilities or gas islands shall be located within 200 feet of residential zoning on Parcel 1. No vehicle sales or multi-game, casino-style gambling facilities shall be permitted.
11. General Provision #6 shall be revised: Signs located within 200 feet of residentially zoned property shall not exceed 20 feet in height.
12. General Provision #9A shall be revised to add that light poles shall be limited in height to 24 four feet, except within 200 feet of residentially zoned property where light poles shall not exceed 14 feet in height.
13. General Provision #11 shall be modified to indicate that landscaping on the adjoining property owned by the City of Wichita shall be installed and maintained in accordance to the agreement with the City of Wichita (and as reviewed by the Design Council), and may be credited toward meeting landscaped street yard requirements. This credit shall not be used to reduce any screening or parking lot landscaping requirements of the Landscape Ordinance. Street frontage along Glendale and Eilerts Street shall provide a landscaped street yard and parking lot screening if parking lots are located between the buildings and street.
14. General Provision #15 shall add that metal shall not be allowed as the predominate material of any façade.
15. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
16. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
17. All property included within this C.U.P. and zone case shall be platted within one year after approval of this C.U.P. by the Governing Body, or the cases shall be considered denied and closed. The resolution establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
18. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-257) includes special conditions for development on this property.
19. The applicant shall submit 4 revised copies of the C.U.P. to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

At the DAB II meeting held October 7, 2002, board members discussed the case, particularly focusing on access on Kellogg off-ramp being dangerous, allowing the access point on Kellogg Drive being in conflict with the Access Management Plan and potential for traffic from the center to use Pershing. DAB II voted (8-0) to recommend approval of the application subject to MAPD staff recommendations and with DAB II reviewing the plat before it is made final.

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Letters in opposition have been received from three owners but all are outside the area considered for a legally binding protest.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotta moved that Council concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; the Planning Department be instructed to forward the ZON2002-0026 Ordinance for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

-- carried

(Agenda Item No. 50)

ZON2002-00052

ZON2002-00052 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO TWO-FAMILY RESIDENTIAL – WEST OF WOODLAWN, APPROXIMATELY 2,000 FEET SOUTH OF 29TH STREET. (District I)

Dale Miller

Acting Director of Planning reviewed the Item.

Agenda Report No. 02-2005

MAPC Recommendation: Approve, subject staff recommendation. (10-0)

Staff Recommendation: Approve, subject to platting within one year.

D.A.B. I Recommendation: September 18, 2002 D.A.B. I voted 7-0 to recommend defer to October 7, 2002 D.A.B. I voted 6-0 to recommend approval subject to platting within one year.

The applicant is seeking to rezone property currently zoned SF-5, Single-family Residential to TF-3 Two-family Residential. The property is located approximately 2,000 feet south of 29th Street, west of Woodlawn, and is 20.24 acres in size.

The land to the north is zoned "SF-5" Single-family Residential, and is the proposed site for a new Northeast elementary school. Property to the east and south is zoned "GO" General Office, and is the location of a medical office, and is open space for an apartment complex. The property to the south is zoned "SF-5" and "GO". Voicestream is located on the "GO" property, and a Conditional Use for ancillary parking for Voicestream was recently approved by MAPC for the "SF-5" tract. Land to the west is zoned "SF-5" Single-family Residential and is developed with homes.

The Wichita Land Use Guide depicts this site as appropriate for "low density residential" uses. This residential category provides for the lowest density of urban residential land use and consists of single-family detached homes, zero lot line units, cluster subdivisions and planned developments with a mix of housing types that may include townhouse and multi-family units. "TF-3" zoning permits a minimum lot size of 3,500 square feet for single-family or 3,000 square feet per dwelling unit for duplex or a maximum of 14.5 dwelling units per acre. "TF-3" zoning is considered a medium density district. In contrast, the SF-5 Single-family residential district, which is considered to be low density, requires a minimum lot size of 5,000 square feet, unless the cluster provision is utilized which allows for a lot size of 4,000 square feet, provided permanent open space is provided.

Depending on the density of development, this project may generate the need for a left-turn lane and/or a decel-lane.

At the DAB I meeting held September 16, 2002, the board voted (7-0) to defer the case to October 7, 2002. At the DAB I meeting held October 7, 2002, the board voted (6-0) to approve the zone change subject to platting within one year. DAB members and citizens voiced concerns about duplex units becoming rental units and having a transient population that does not maintain the area and access only from Woodlawn, but expressed the view that duplex ("TF-3" Two-family) zoning was preferable to other possible uses.

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At the MAPC meeting held September 26, 2002, MAPC voted (10-0) to approve subject to platting within one year. No members of the public were present to speak.

One letter of opposition and protest was received representing 1.13 percent, which would not require supermajority vote by the Council.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Brewer moved that Council concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the condition of platting within one year; and the ZON2002-00052 Ordinance be placed on first reading with publication being withheld until the Plat is recorded with the Register of Deeds. Motion carried 7 to 0.

- -- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00052

HPC2002-00085

HPC2002-00085 – WICHITA REGISTER OF HISTORIC PLACES LANDMARK DESIGNATION FOR 3333 SOUTH BROADWAY. (District III)

Agenda Report No. 02-2006

MAPC Recommendation:	Approve Wichita Landmark Designation (11-0)
HPB Recommendation:	Approve Landmark Designation (5-0)
Staff Recommendation:	Approve Landmark Designation
DAB Recommendation:	Approve Landmark Designation (8-0)

The applicants are requesting the house located at 3333 South Broadway be designated as a Wichita Historic Landmark. This structure, built in 1899, was the first house built south of the Arkansas River in Sedgwick County and the home of George R. Robbins. Robbins was a pioneer Wichitan, homesteading this location in 1869. Prior to constructing the existing two-story brick building, he lived in a sod house, a log cabin, and a modest frame structure on the same site.

The bricks used for constructing this building are bricks hand made and fired in St. Louis, originally intended for the John Bright College. This college was the precursor of Friends University. The brick was ordered and newspaper accounts of 1887 reported the bricks had been delivered and were sitting on the Rock Island docks. For some reason the college was not built, although designs by Wichita architect, C. W. Terry had been completed. George Robbins purchased the brick and built the house at 3333 South Broadway.

The zoning surrounding the application area consists of "GC" – General Commercial and "LI" – Limited Industrial. Nearby properties are developed with commercial uses.

This site is located on the west side of Broadway, south of Patterson Street. Broadway is a four-lane two-way arterial street, and Patterson Street is a two-way local street.

Findings of significance of the Historic Preservation Board are based on evaluation criteria established in Chapter 2.12, Code of the City of Wichita. This structure is significant to the early history of Sedgwick County and the City of Wichita. The Robbins House is currently identified in the Undesignated Historic Resource List adopted by City Council in September 1998.

Findings of significance of the Historic Preservation Board are based on evaluation criteria established in Chapter 2.12, Code of the City of Wichita. The apartment is a good example of a garden style apartment and is the only one of its kind in Wichita. The building's first owner was Samuel Denney, a prominent Wichita who owned and operated the first road machinery company in the area.

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Local landmark designation will require the property owner to have all exterior modifications, alterations and addition that require the issuance of building or other permits, including demolitions, to be reviewed by the Historic Preservation board, except for "emergencies." Landmark designation also qualifies the property owner to be eligible to apply for funds through the Revolving Historic Loan Program. The underlying land use for the designated property does not change and local designation does not trigger design review of adjacent properties.

Motion --
-- carried

Knight moved that the Landmark Designation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance designating as a historic landmark certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010 and Section 2.12.1018, as amended, introduced and under the rules laid over. HPC2002-00085

AIRPORT AGENDA

Knight Moved that Airport Agenda be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

AIRPORT

COOLING TOWER REPLACEMENT.

Agenda Report No. 02-2007

The 2003 Capital Improvement Program allows for HVAC improvements.

The cooling tower, which services the Terminal Building, has reached its service life and is in need of replacement. The replacement is necessary to reduce maintenance costs and insure the reliability of the cooling system.

The cost is estimated to be \$170,000 which will be funded with General Obligation bonds to be paid by airport revenues.

Motion -- carried

Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. A-02-009

A Resolution declaring that a public necessity exists for and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

AIRPORT

TERMINAL BUILDING OFFICE SPACE.

Agenda Report No. 02-2008

On August 21, 2002, the Wichita Airport Authority received a Solicitation for Offer from the Equus Corporation soliciting office space within five minutes of Wichita Mid-Continent Airport to house Transportation Security Administration personnel. (Equus was contracted by the General Services

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Administration to initiate and review all SFOs.) A proposal was submitted by airport staff for consideration on September 2, 2002; and, in response to a request from Equus dated October 7, 2002, a best and final offer was submitted on October 10, 2002.

The SFO includes providing 10,820 sq.ft. of rentable space on the west side of the second floor of the terminal building. Of this area, 8,626 sq.ft. will be utilized strictly by TSA. The space will be remodeled according to GSA's guidelines and TSA's use of the space. The space will house 17 support personnel on a permanent basis and will be used to facilitate training for 170 passenger/baggage screeners who will serve Wichita Mid-Continent, Liberal, Garden City, Dodge City, Hays, Salina and Great Bend Airports.

Costs associated with remodeling the space will be included in the per sq.ft. rental rate. GSA will reimburse the WAA for specific tenant improvements. The contract is for a firm three-year period, with a two-year option to extend. Either party may cancel the agreement after the third year with a 60-day notice. Rent will commence upon beneficial occupancy.

The contract will be approved as to form by the Law Department.

Motion --
-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

AIRPORT MARKETING CONTRACT AMENDMENT.

Agenda Report No. 02-2009

In August 2002, the Wichita Airport Authority approved a marketing agreement with the Greteman Group for promotion of Wichita Mid-Continent Airport and the Fair Fare\$ effort which has successfully recruited new low fare airline service to Wichita. The Wichita Airport Authority finds it to be in the best public interest to promote this new air service and Mid-Continent Airport. Since implementation of the advertising campaign, the need for an enhanced public relations component has been identified.

The Greteman Group was selected after an official Request For Proposal was distributed through the Purchasing Department. The entries were reviewed by a committee consisting of Airport officials, Fair Fare\$ committee members and representatives from the City Manager's Office. After reviewing entries and presentations, it was determined that Greteman Group would be the best agency for this campaign. The committee selected this agency because they had offered a creative platform that had both short-term and long-term capabilities, and were able to stretch the allocated budget the furthest in media and territory. Under the amendment, Greteman Group will work to generate both local and national media coverage and other opportunities to promote Mid-Continent Airport and the low fare air service available.

The enhanced public relations component will be integrated with the overall marketing agreement which is approved through December 2003. The enhanced services will be paid for with funds approved and allocated for promotion and marketing of Mid-Continent Airport and will not exceed \$5,000 per month.

Motion --
-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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HOUSING AGENDA

Knight moved that Housing Agenda be approved in accordance with the recommended action shown thereon. Motion carried 8 to 0. Inafay Grays-McClellan, Housing Member is also seated with the City Council.

HOUSING

PAYMENT STANDARDS – SECTION 8 VOUCHERS.

Agenda Report No.02-2010

The Department of Housing and Urban Development published a notice of Fair Market Rents (FMRs) to be effective October 1, 2002. These FMRs are calculated to be at the 50th percentile of rents in the Wichita area, and include an allowance for utilities.

The Quality Housing and Work Responsibility Act (QHWRA) of 1998 requires that Housing Authorities operating Section 8 Voucher Programs must establish Section 8 Voucher Payment Standards between 90% and 110% of the Published Fair Market Rent for each bedroom size. The payment standards are in turn used to calculate the amount of the monthly subsidy.

The Housing Advisory Board recommended approval of the Revised Payment Standards.

The QHWRA also includes a provision that a family which initially receives Section 8 tenant-base assistance may not be required to pay more than 40% of their adjusted monthly income for rent and utilities. Because of the favorable economy in Wichita, as with many other parts of the country, rents have risen faster than inflation, making many rental units unavailable to new Section 8 tenants if voucher amounts are calculated at 100% of the FMR. In addition, the lower payment standard has the effect of restricting them geographically to lower income areas.

Previous payment standards were approved by the Housing Advisory Board for 0, 1, and 2 bedroom units at 110% of the FMR and setting 3- and 4-bedroom units at 105%, and 5-and 6-bedrooms at 100% FMR. Based on requests for tenancies and rents demanded, establishment of payment standards for 1-4 bedrooms at 110% and 0,5-6 bedrooms at 100% of FMR.

Below is a table of the FMRs effective October 1, the current payment standards and the recommended increased payment standards.

BEDROOM SIZE

	0	1	2	3	4	5	6
FMR (10/1/2002)	370	444	594	804	868	998	1147
Current Pmt. Standard	398	478	640	820	893	978	1106
Recommended PS	398	488	653	884	954	998	1147

Upon adoption by the Board the revised payment standards will be put into effect following City Council approval and will apply to new tenants as well as to each current tenant as annual recertifications are completed.

Payment standards include the rent to owners plus tenant paid utilities.

The impact of increasing the payment standards is to increase the amount of assistance per tenant, which results in fewer households served. The Housing Authority must operate within the budget set by HUD. It is incumbent on the Housing Authority to balance the availability of housing units to those who have vouchers with the total number of vouchers that can be issued.

Adoption of payment standards that are lower than market conditions reduces likelihood that voucher holder can identify unit to lease.

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Motion --
-- carried

Knight moved that the Revised Payment Standard for the Section for the Section 8 Voucher Program be approved. Motion carried 8 to 0.

HOUSING

REPORT OF PUBLIC HOUSING CAPITAL IMPROVEMENTS.

Agenda Report No. 2011

The City of Wichita Housing Authority (WHA) Capital Fund Program will make all necessary capital improvements and corrections of deficiencies in the WHA rental inventory to ensure the long term physical and social viability of WHA developments. The Program is also used to upgrade the management operations of the WHA to assure the ability of staff to serve the housing needs of low to moderate income families. This report covers the current status of all Capital Fund improvement projects.

The 2001 and 2002 Capital Fund grants are in the amounts of \$1,216,704 and \$1,159,577 respectively. The 2000 grant has been fully expended. Attached is the summary of the capital improvement projects scheduled for the 2001 through 2005 Capital Fund grant years. The 2003 through 2005 budgeted amounts are estimated on the basis of the 2002 grant amount.

There are no financial considerations.

Motion -- carried

Knight moved that the report be reviewed and approved. Motion carried 8 to 0.

HOUSING

REPORT OF PUBLIC HOUSING OCCUPANCY.

Agenda Report No. 02- 2012

This update provides the current status of all Public Housing Units under make ready status, Capital Fund Program and vacant units ready to be leased.

As of October 28, 2002, 17 units are in make ready status, 3 units are in the Capital Fund Program and 13 units are waiting to be leased. The total of 33 vacancies represents an occupancy rate of 94.3%. Property Managers leased 11 units during the month of September. One Greenway Manor apartment has sustained damage in a fire and will be tracked separately during the process of insurance settlement and rehabilitation.

There are no financial considerations.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 8 to 0.

HOUSING

2002 UTILITY ALLOWANCES—SECTION 8 PROGRAMS.

Agenda Report No.02-2013

Housing Authorities are required by the Department of Housing and Urban Development (HUD) to annually review and make appropriate adjustments to the utility allowances provided for tenant furnished utilities. The allowances are subtracted from the tenant's Adjusted Gross Rent to provide the net amount payable to landlords as rent. The allowances are based on actual rates and average consumption estimates. The allowances are not direct compensation to the tenant for their utility consumption, rather an approximation based on consumption by an energy conserving household. The allowances are adjusted for structure type based on the number of bedrooms. The Quality Housing and Work Responsibilities Act of 1998 requires annual review of utility allowances and if there has been a change (increase/decrease) of 10% or more in a utility rate, the allowance must be revised. The Housing Advisory Board must review and approve the utility allowances prior to implementation by the Housing Services Department.

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The Housing Advisory Board recommended approval of the 2002 Utility Allowances.

Staff conducted a review of rates based on information available from utility suppliers. Staff worked with suppliers to determine the appropriate consumption for an energy conservation household, also, of different structure types. HUD requires separate consumption calculations for air conditioning, trash, ranges, and refrigerators. The WHA's current procedures requires that the landlord must provide the stove and refrigerator before the dwelling unit can pass the initial inspection, however, we are required to provide rental amount in the Utility Schedule. The rate changes over the past year do not meet the thresholds and there no need to make changes to the approved 2001 Utility Allowance.

The following chart is a comparison of a typical three (3) bedroom single family dwelling unit that utilizes a combination of utilities, appliances and services as follows: a.) heating (gas); b.) air conditioning (electric); c.) cooking (electric); d.) other electrical lighting and refrigerator (electric); e.) water heating (gas); f.) water; g.) sewer; h.) trash collection; i.) range (electric) and j.) refrigerator (electric).

	<u>TENANT 2002 ALLOWANCE</u>
A. Heating (gas)	\$ 43.00
B. Air Conditioning (electric)	\$ 16.00
C. Cooking (electric)	\$ 9.00
D. Other Electric Lights	\$ 35.00
E. Water Heating (gas)	\$ 17.00
F. Water	\$ 16.00
G. Sewer	\$ 18.00
H. Trash Collection	\$ 16.00
I. Range (rental)	\$ 35.00
J. Refrigerator (rental)	<u>\$ 36.00</u>
TOTAL ALLOWANCES	\$241.00

Staff's recommends that the utility allowances be reviewed and remain the same for year 2002.

This a HUD required action. Approving the utility allowances for 2002 will not effect the Housing Services Department's financial position.

Motion --
-- approved

Knight moved that the utility allowances for the 2002 fiscal year for Section 8 Rental Assistance be reviewed and approved. Motion carried 8 to 0.

HOUSING

SECTION 8 STATISTICAL MONTHLY REPORT.

Agenda Report No 02-. 2014

The Section 8 Housing Assistance program allows Housing Authorities to assist as many families as can be assisted with the funds allocated. The Wichita Housing Authority has been approved to administer 2517 allocations.

September 2002

Program	Number Allocated	Number Committed	Over (Under) Committed	Annual Lease-Up 2009	Annual Rate
Voucher	2211	2048	(163)		98.1%
Mainstream (2002)	75	75	0		
SPC	102	146	44		
Mod Rehab	58	27	(31)		
Certificate	35	46	11		
Portable	36	36	0		
TOTAL	2517	2378	(*139)		

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*Number of vouchers available for the Housing Choice Voucher Program due to positive and negative termination of clients. All vouchers issued for Mainstream are committed.

Due to many variables such as voucher and certificate holders finding and leasing a property that does not require the maximum subsidy, we are able to assist additional units and remain within budget.

Motion --carried

Knight moved that the report be received and filed. Motion carried 8 to 0.

EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess to take a twenty minute lunch and then go into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation; legal advice; Contract negotiations and preliminary discussions relating to the acquisition of real property for public purposes; and return from executive session no earlier than 1:00 p.m. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 12:05 p.m.; moved into executive session at 12:25 p.m.; and returned to regular session at 1:05 p.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 1:05 p.m.

Patsy Ellis
Deputy City Clerk